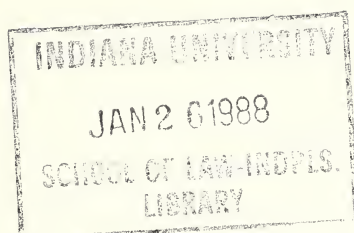




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JOURNAL OF PROCEEDINGS
OF THE
City-County Council
OF
INDIANAPOLIS-MARION COUNTY
State of Indiana
VOLUME I
FROM
JANUARY 1, 1985 to SEPTEMBER 9, 1985
INDEX PAGES 1700—1999 VOLUME II

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**CITY—COUNTY OFFICIALS
AND
EXECUTIVE PERSONNEL**

As of December 31, 1985

Office of the Mayor

Mayor	William H. Hudnut, III
Deputy Mayor	John L. Krauss
Senior Deputy Mayor	Joseph A. Slash
Administrative Assistant	Nancy Coleman

City—County Council Officers

President	Beurt R. SerVaas
Vice President/Majority Leader	Donald W. Miller
Minority Leader	Lula Journey
City Clerk	Beverly S. Rippy
Deputy City Clerk	Karen S. Meier
General Counsel	Robert G. Elrod
Research Director	Thomas Stoughton
Senior Fiscal Analyst	Roy C. Icenogle

City—County Council Members

First District	Gordon G. Gilmer
Second District	Beurt R. SerVaas
Third District	William G. Schneider
Fourth District	William A. Dowden
Fifth District	Patricia Nickell
Sixth District	Stephen R. West

Seventh District	Stuart W. Rhodes
Eighth District	Holley M. Holmes
Ninth District	Glenn L. Howard
Tenth District	Lula M. Journey
Eleventh District	Rozelle Boyd
Twelfth District	Betty M. Stewart
Thirteenth District	Richard F. Clark
Fourteenth District	Allen L. Durnil
Fifteenth District	Wayne E. Rader
Sixteenth District	Harold E. Hawkins
Seventeenth District	Amy S. Bradley
Eighteenth District	Dwight Cottingham
Nineteenth District	Ken Giffin
Twentieth District	David P. McGrath
Twenty-first District	David J. Page
Twenty-second District (until December 1985 - Edgar Campbell).	Susan Williams
Twenty-third District	Stanley P. Strader
Twenty-fourth District	Beulah A. Coughenour
Twenty-fifth District	Donald W. Miller
At Large	Ray Crowe
At Large	Carlton E. Curry
At Large	Philip Borst
At Large	Julius F. Shaw

Standing Committees of the City—County Council, 1985

Administration

Beulah Coughenour, Chairman,
Holley Holmes
Julius Shaw
Harold Hawkins
David McGrath
Stanley Strader
Carlton Curry

Parks & Recreation

Allen Durnil, Chairman
Glenn Howard
Stanley Strader
Ray Crowe
Stuart Rhodes
Lula Journey

Community Affairs

Betty Stewart, Chairman
Ray Crowe
Carlton Curry
Ken Giffin
Patricia Nickell
Lula Journey
Amy Bradley

County & Townships

Dwight Cottingham, Chairman
Ken Giffin
Rozelle Boyd
Harold Hawkins
Amy Bradley
Holley Holmes

Economic Development

William Schneider, Chairman
Rozelle Boyd
Richard Clark
Gordon Gilmer
Betty Stewart
Glenn Howard
Wayne Rader

Metropolitan Development

Philip Borst, Chairman
Ray Crowe
Wayne Rader
Donald Miller
Stanley Strader

Public Safety & Criminal Justice

William Dowden, Chairman
Edgar Campbell
Harold Hawkins
Philip Borst
Holley Holmes
Ken Giffin
Patricia Nickell
Julius Shaw
Stephen West

Public Works

Stephen West, Chairman
Rozelle Boyd
Patricia Nickell
Beulah Coughenour
David Page
Stuart Rhodes

Rules & Policy

David McGrath, Chairman
Dwight Cottingham
William Dowden
Donald Miller
Harold Hawkins
Beurt SerVaas
Lula Journey

Transportation

Gordon Gilmer, Chairman
Wayne Rader
Amy Bradley
Carlton Curry
Edgar Campbell

David Page
Edgar Campbell

David Page

Municipal Corporations

Richard Clark, Chairman
Allen Durnil
Stuart Rhodes
Julius Shaw
Glenn Howard
Ken Giffin

Committee On Committee

Beurt SerVaas, Chairman
Donald Miller
Lula Journey

**Calendar of Sessions of the
City-County Council, 1985**

January 7, 7:10 p.m.	Regular
January 28, 7:02 p.m.	Regular
February 11, 7:07 p.m.	Regular
February 25, 7:14 p.m.	Regular
March 11, 7:05 p.m.	Regular
March 26, 7:07 p.m.	Regular
April 15, 7:02 p.m.	Regular
May 6, 7:06 p.m.	Regular
May 20, 7:06 p.m.	Regular
June 10, 7:10 p.m.	Regular
June 24, 7:08 p.m.	Regular
July 22, 7:14 p.m.	Regular
August 5, 7:17 p.m.	Regular
August 26, 7:12 p.m.	Regular
September 9, 7:10 p.m.	Regular
September 30, 7:07 p.m.	Regular
October 15, 7:04 p.m.	Regular
October 28, 7:08 p.m.	Regular
November 11, 7:10 p.m.	Regular
November 25, 7:10 p.m.	Regular
December 16, 7:10 p.m.	Regular

CONSOLIDATED CITY DEPARTMENTS

DEPARTMENT OF ADMINISTRATION

Director. Donald R. McPherson

Finance

City Controller Fred L. Armstrong

Office of Equal Opportunity

Chief Officer Martha Bulluck

Legal

Corporation Counsel John P. Ryan

City Prosecutor. Mark A. Mertz

Personnel

Director. Thomas E. Parker

Purchasing

Purchasing Agent. Anita R. Miller

Records

Director. Willard Heiss

DEPARTMENT OF METROPOLITAN DEVELOPMENT

Director. David E. Carley

Deputy Director Eugene Lausch
Deputy Director Rudy Hightower

Division of Development Services

Administrator Jon A. Meeks
Deputy Administrator Keith A. Thomas
Deputy of Current Planning Steve Granner
Deputy of Inspection Services Jeff Gearhart

Economic and Housing Development

Administrator Mike Higbee
Deputy Administrator Mark Stokes
Deputy Administrator John Labaj

Division of Planning

Administrator Stuart Reller
Deputy Administrator David Kingen

Historic Preservation Commission

Administrator Vickie J. Sandstead
Acting Assistant Administrator William Selm
Assistant Administrator (from December 1985). Taras Halibey

City Market

Administrator Alice Hiland

Housing Authority

Executive Director. Rudy Hightower
Deputy Administrator David Borland, Sr.
Deputy Administrator Lamond Martin

DEPARTMENT OF PARKS & RECREATION

Director. F. Arthur Strong
Deputy Director Joseph H. Finnell
Administrator of Eagle Creek Division. Steve Waltz
Administrator of Parks Division Mark Shambaugh
Administrator of Recreation Joe Winns

DEPARTMENT OF PUBLIC WORKS

Director. Barbara S. Gole

Air Pollution

Administrator. Walter J. Kulakowski

Flood Control

Manager. Allen McFearin

DEPARTMENT OF PUBLIC SAFETY

Director. Richard Blankenbaker
Deputy Director John Peacock

Animal Control

Administrator. Matthew Schneider

Civil Defense

Administrator. W. Steven Collier

Police Department

Chief. Joseph G. McAtee
Assistant Chief Joseph Shelton
Deputy Chief/Administration Micheal Fogarty
Deputy Chief/Investigations Robert Ward
Deputy Chief/Operations Paul Annee

Fire Department

Chief. Donald Strietelmeier
Assistant Chief Harold L. Bowers
Finance Coordinator William Cloud
Director/Fire Prevention. Jerry Whitaker
Director/Personnel & Public Relations. Louis Dezelan

Weights & Measures

Administrator. Frank L. Brugh

DEPARTMENT OF TRANSPORTATION

Director. Fred L. Madorin
Deputy Director George H. Lynch
Deputy Director (from August, 1985). Joseph C. Staehler
Administrator/Parking Meters Genell Jones
Chief Engineer/Street Engineering Division. John P. Willen
Chief Engineer/Traffic Engineering Division James H. Cox
Manager/Maintenance Division. Gary L. Poore

MEMBERS OF OFFICIAL BOARDS

Capital Improvements Board

President	P. E. MacAllister
Member.	S. Henry Bundles, Jr.
Member.	David S. Orr
Member.	Maribeth Smith
Member.	John B. Smith
Member.	Robert H. McKinney
Member.	David R. Frick
Member.	James E. Dora

Election Board

Secretary	Bernard J. Gohmann
Member.	Kurt F. Pantzer, Jr.
Member.	John M. Swartz

Board of Greater Indianapolis Progress Committee

Chairman.	Donald W. Tanselle
Executive Director.	Margo A. Lyon

Board of Health & Hospital Corporation

Chairman.	Randall D. Rogers
Vice Chairman	Dr. Henry C. Bock
Member (until July 1985 - Dr. H. Sprague Gardiner)	Dr. Otis Bowen
Member.	John F. White
Member.	William R. Brown
Member.	Carlyn Johnson
Member.	Thomas C. Hasbrook

Indianapolis Airport Authority

President John M. Vaughn
Member. Gordon St. Angelo
Member. James L. Tuohy
Member. Lawrence A. O'Connor, Jr.
Member. Cecil D. Ross

DEPARTMENT OF ADMINISTRATION

License Review Board

Presiding Chairman David Leonards
Panel Chairman. Kent Newton
Panel Chairman. Mary Marsh

Tax Adjustment Board

Chairman. Robert E. Cockrum
Vice Chairman Dwight Cottingham
Member. Michael Vollmer
Member. Fred L. Armstrong
Member. Xavier Maudlin
Member. Robert I. Highfill
Member. Andre B. Lacy

DEPARTMENT OF METROPOLITAN DEVELOPMENT

Board of Zoning Appeals, Division I

Chairman. Richard Thomas Hunter
Vice Chairman Randell W. Jehs
Member. JoAnna Walker
Member. Charles Montgomery
Member. Wade D. Rubick

Board of Zoning Appeals, Division II

Chairman. Frank J. Russell
Vice Chairman Robert O'Brien
Member. Micheal D. McGingley
Member. Joan Gibbs
Member. Harold E. Smith

Board of Zoning Appeals, Division III

Chairman. W. James Wood
Vice Chairman Steve H. Brizendine
Secretary Bill Locey
Member. Judy Newton
Member. Richard Stanfield

Indianapolis Housing Authority Board

Chairman. F. Edward Butz
Vice Chairman Cecil Ross
Member. Nancy Smith
Member. Reverand Ronald M. Ragan
Member. Harriet M. Thompson

Indianapolis Historic Preservation Commission

Chairman. Bruce A. Cordingley
Member. Katie Betley
Member. Robert LaRue
Member. Dallas Daniels
Member. Helene Cross
Member. Larry Bowman
Member. Lisa Dietrick
Member. Richard Guernsey
Member. Janice Norman

Metropolitan Development Commission

President	Robert Samuelson
Member	Lehman D. Adams Jr.
Member	Paul G. Roland
Member	George Bixler
Member	Rose Mary Clark
Member	Carol Kirk
Member	Eldon Cox
Member	James A. Wade
Member	James Curtis

DEPARTMENT OF PARKS & RECREATION **Board of Parks & Recreation**

Chairman	Franz Arthur Strong
Vice Chairman	Dave Probst
Member	Richard Lahr
Member	Barbara E. O'Laughlin
Member	Benjamin Singleteary

DEPARTMENT OF PUBLIC WORKS

Air Pollution Control Board

Chairman	Arlie Ullrich, Jr.
Member	John E. Merrill
Member	Walter L. Abell
Member	Dr. Robert S. Daly
Member	William E. Laque
Member	Robert Hendren
Member	David Rees
Member	Dallas Schnitzius
Member	Ingrid Ritchie

Board of Public Works

Chairman.	Barbara S. Gole
Member.	Thomas O. Hale
Member.	Donald R. Hudson
Member.	George Erganian
Member.	Thomas J. Henry

DEPARTMENT OF PUBLIC SAFETY

Police Merit Board

Chairman.	Charles R. Thomas, M.D.
Member.	Richard McDowell
Member.	Robert M. Hayes
Member.	Mary Helen VanBuren
Member.	John Lauter

Fire Merit Board

Chairman.	Larna Spearman
Member.	George Geib
Member.	Dr. Paul Benedict
Member.	Linda Spencer
Member.	William T. Lawrence

Board of Public Safety

Chairman.	Richard Blankenbaker
Member.	Robert McConnell
Member.	Beverly Gaither
Member.	Dr. Dwight Schuster
Member.	Robert Moorhead

DEPARTMENT OF TRANSPORTATION

Chairman.	Fred L. Madorin
Member.	Archie Mabon
Member.	W. Wayne Burking
Member.	Russell W. Brown
Member (until October 1985 - Walter T. Scott)	Howard Howe

MARION COUNTY OFFICIALS

County Assessor	Harold E. Bean, Jr.
County Auditor	Faye Mowery
County Board of Review.	Harold E. Bean, Jr.
County Commissioner	Harold E. Bean, Jr.
County Commissioner	Faye Mowery
County Commissioner	Edward Buckley
County Coroner	Dennis J. Nicholas, M.D.
County Home.	Henry Bahner
County Jail Commander.	Larry Koch
County Prosecutor.	Stephen Goldsmith
County Recorder.	Beth O'Laughlin
County Surveyor.	Jack A. Irwin, L.S.
County Treasurer	Edward Buckley
County Sheriff	James L. Wells
County Inheritance Tax Department.	Judy McPhee
Central Data Processing	Louis Bubala
Central Law Library.	Lynn Conner
Cooperative Extension Service.	Oscar Hopkins
Center Township Assessor.	James P. Maley, Jr.
Decatur Township Assessor.	Charles L. Coleman
Franklin Township Assessor	Marilyn A. Gleason
Lawrence Township Assessor.	Lois J. Ricketts
Perry Township Assessor.	Mary K. Gillum
Pike Township Assessor	Marilyn M. Smith
Warren Township Assessor	Fredrick Monschein
Washington Township Assessor	Richard L. Cunningham
Wayne Township Assessor.	Phillip D. Hinkle
Clerk of the Circuit Court	Bernard J. Gohmann
Circuit Court	John M. Ryan

Criminal Court 1	John W. Tranberg
Criminal Court 2	Webster L. Brewer
Criminal Court 3	John R. Barney, Jr.
Criminal Court 4	Patricia J. Gifford
Criminal Court 5	Roy F. Jones
Juvenile Court	James W. Payne
Presiding Judge, Municipal Court	Harold Kohlmeyer
Probate Court	Victor S. Pfau
Superior Court 1	Anthony J. Metz, III
Superior Court 2	Kenneth H. Johnson
Superior Court 3	Betty Barteau
Superior Court 4	Richard L. Milan
Superior Court 5	Michael T. Dugan
Superior Court 6	Edward Madinger
Superior Court 7	Gerald S. Zore
Criminal Court Probation	Stephen R. Wills

History of the Common Council of the City of Indianapolis

Indianapolis was established as a town in 1821. It was at this time that a commission, appointed by the legislature, selected this location as a site for a seat of government of the State of Indiana.

The Town of Indianapolis conducted its affairs pursuant to the general laws of the state until 1832. In this year the town was incorporated and was governed by a board of five trustees.

In 1838, pursuant to a special act of the legislature, Indianapolis was re-incorporated and placed in the hands of its first Town Council composed of a president and six members.

The Common Council continued in a large measure to control the affairs of Indianapolis as a town and as a city under various so-called charters or grants of the legislature until 1891.

Under a special act of the legislature of the 1891 for the City of Indianapolis, a somewhat different form of government was established. While the Council continued to exercise broad control over the city's affairs, various executive departments of the city were provided, such as Public Works, Public Safety, Public Parks and Public Health, conducted by boards appointed by the Mayor. These boards were granted specific powers and duties concerning the city's business previously exercised by the Council through committees subject, however, in some cases to approval of the Council in all matters of expenditure of money and appropriation of funds by the Council.

For some time prior to 1891 the City of Indianapolis was divided into 25 wards represented by 25 Ward Councilmen. Their term of office was two years and they were eligible for re-election. At this time there was also a separate body operating in conjunction with the Council called the Board of Aldermen, composed of ten Aldermen representing five Aldermen districts, two being elected from each district.

Under the 1891 act, the Board of Aldermen was abolished and Common Council of 21 members was established. Fifteen members were elected to represent 15 wards and six members were elected to represent the city at large.

This form of Council continued to exist in Indianapolis under the general cities and towns act of 1905. The act of 1905, while often referred to as the Indianapolis Charter, is very largely a re-enactment of the 1891 Indianapolis Charter, modified to make the Indianapolis system applicable to all classes of cities of the state. The 1905 law increased the term of Mayor and Councilmen to four years and prohibited re-election.

In 1909 a novel Councilmanic law for Indianapolis alone was passed by the legislature. That law limited the number of Councilmen to nine. The law provided for the nomination by each party of six candidates, one from each of six Councilmanic Districts. In the election all of the voters of the City could vote for any nine candidates and the nine receiving the highest number of votes were elected. This law insured a minority representation in the Council of at least three members. In 1949 the legislature amended the statutes to permit Councilmen to succeed themselves.

History of the City—County Council of the City of Indianapolis

In 1969 the legislature enacted a law, popularly known as the “Unigov Act,” which consolidated the City and County into one governmental unit. The act further provided for the creation of an interim City—County Council which served as the legislative body for the City and County until the new twenty-nine member Council was elected in November, 1971, and took office in January of 1972.

The Council is composed of twenty-five members elected from single member districts and four members elected to at-large by voters of the entire county.

Unified Government of Indianapolis-Marion County is an attempt to make metropolitan government simpler, more functional and more responsive to citizens’ needs. Under the new structure, six major departments replaced the more than sixty which were in existence previously.

EXECUTIVE HEADS OF THE CITY OF INDIANAPOLIS UNDER VARIOUS FORMS OF ORGANIZATION

PRESIDENTS OF BOARDS OF TRUSTEES

Henderson, Samuel	October 12, 1832 to September 30, 1833
Edgar, James (resigned as Trustee)	September 30 to December 9, 1833
Blythe, Benjamin I.	March 7, 1834 to February 14, 1835
Morrison, Alexander F..	February 14 to October 2, 1835
Palmer, Nathan B.	October 2, 1835 to April 13, 1836
Lockerbie, George	April 13, 1836 to April 4, 1837
Soule, Joshua	April 3, 1837 to April 2, 1838

PRESIDENTS OF TOWN COUNCIL

Morrison, James	1838 to 1839
Palmer, Nathan B.	1839 to 1840
Coburn, Henry P.	1840 to 1841
Sullivan, William (Resigned November 12, 1841).	1841
Culley, David V.	1841 to 1844; 1850 to 1853
Wilson, Lazarus B.	1844 to 1845
Levy, Joseph A.	1845 to 1847
Rooker, Samuel S. (Resigned November 1, 1847)	1847
Cady, Charles W.	1847 to 1848

MAYORS

Henderson, Samuel	1847 to 1849
Newcomb, Horatio C. (Resigned November 7, 1851)	1849 to 1851
Scudder, Caleb	1851 to 1854
McCready, James.	1854 to 1856
West, Henry F. (Died November 8, 1856).	1856

Coulon, Charles (To fill vacancy until November 22, 1856)	1856
Wallace, William John (Resigned May 3, 1858)	1856 to 1858
Maxwell, Samuel D.	1858 to 1863
Caven, John	1863 to 1867; to 1881
Macauley, Daniel.	1867 to 1873
Mitchell, James L.	1873 to 1875
Grubbs, Daniel W.	1881 to 1884
McMaster, John L.	1884 to 1886
Denny, Caleb S.	1886 to 1890
Sullivan, Thomas L.	From January 1, 1890 to October 12, 1893
Denny, Caleb S.	From October 12, 1893 to 1895
Taggart, Thomas	From October 10, 1895 to 1901
Bookwalter, Charles A.	From October 10, 1901 to 1903
Holtzman, John W.	From October 15, 1903 to 1905
Bookwalter, Charles A.	1905 to 1909
Shank, Samuel Lewis (Resigned November 28, 1913).	1910 to 1913
Wallace, Harry R.	1913
Bell, Joseph E.	1914 to 1917
Jewett, Charles W.	1918 to 1921
Shank, Samuel Lewis	1922 to 1925
Duvall, John L. (Disqualified September 22, 1927)	1926 to 1927
Slack, L. Ert.	1927 to 1929
Sullivan, Reginald H.	1930 to 1934
Kern, John W. (Resigned September 2, 1937).	1935 to 1937
Boetcher, Walter C.	1937 to 1938
Sullivan, Reginald H.	1939 to 1942
Tyndall, Robert H. (Died July 9, 1947).	1943 to 1947
Denny, George L.	1947
Feeney, Al G. (Died November 12, 1950)	1948 to 1950
Bayt, Phillip L. (Resigned effective November 24, 1951).	1950 to 1951
Emhardt, Christian J. (November 24, 1951)	1951
Clark, Alex M.	1952 to 1956
Bayt, Phillip L. (Resigned December 31, 1958).	1956 to 1959
Boswell, Charles H. (Resigned August 6, 1962)	1959 to 1962
Losche, Albert H.	1962 to 1963
Barton, John J.	1964 to 1968
Lugar, Richard G.	1968 to 1975
Hudnut, William H. III	1976 to 1985

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**MINUTES OF THE CITY-COUNTY COUNCIL
AND SPECIAL SERVICE DISTRICT COUNCILS
OF INDIANAPOLIS, MARION COUNTY, INDIANA**

REGULAR MEETINGS - MONDAY, JANUARY 7, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m., on Monday, January 7, 1985, with Councillor SerVaas presiding.

The meeting was opened with a prayer and the Pledge of Allegiance to the Flag by Councillor Beurt SerVaas.

ROLL CALL

Councillor SerVaas instructed the Clerk to take the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

Twenty-nine members being present, he announced a quorum was present.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Strader introduced a few constituents of his from the near south side. Councillor Giffin recognized Senator Morris Mills and his wife Mary Ann as well as Mr. Howard Mills, Sr. and Mrs. Beulah Thornburg.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE,
FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT
COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,
INDIANA:

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, January 7, 1985, at 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

s/Beurt SerVaas, President
City-County Council

December 12, 1984

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS on December 19, 1984, and December 26, 1984, and The Indianapolis COMMERCIAL on December 14, 1984, and December 21, 1984, a copy of NOTICE TO TAXPAYERS of "License Regulation of the City Controller of the City of Indianapolis."

Respectfully,

s/Beverly S. Rippy
City Clerk

December 21, 1984

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on December 27, 1984, and January 3, 1984, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 661, 1984, to be held on Monday, January 7, 1985, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

December 18, 1984

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 100, 1984, transfers \$14,900 for remodeling of the Recorder's office.

FISCAL ORDINANCE NO. 102, 1984, transfers \$890 for the rental of equipment and changes the personnel schedule for the Superior Court - Criminal Division - Room One.

GENERAL ORDINANCE NO. 79, 1984, changes parking controls on a portion of Indianola Avenue.

GENERAL ORDINANCE NO. 80, 1984, changes speed limit controls on a portion of Stop 11 Road.

GENERAL ORDINANCE NO. 81, 1984, changes intersection controls at Olin Avenue and 16th Street.

SPECIAL ORDINANCE NO. 69, 1984, a final bond ordinance authorizing the issuance of \$1,500,000 Industrial Revenue Bonds for Builders Transport, Inc.

SPECIAL ORDINANCE NO. 70, 1984, a final bond ordinance authorizing the issuance of \$8,500,000 Economic Development Revenue Bonds for 123 S. Illinois Associates, an Indiana limited partnership.

SPECIAL ORDINANCE NO. 71, 1984, a final bond ordinance authorizing the issuance of \$1,000,000 Economic Development Revenue Bonds for Joint and Clutch Service, Inc.

SPECIAL ORDINANCE NO. 72, 1984, a final bond ordinance authorizing the issuance of \$1,800,000 Economic Development Revenue Bonds for John Ober and Betty Ober.

SPECIAL ORDINANCE NO. 73, 1984, a special ordinance consenting to the issuance of \$1,000,000 Economic Development Mortgage Revenue Bonds by the City of Beech Grove, Indiana, for South Inn Developers.

SPECIAL ORDINANCE NO. 74, 1984, a special ordinance designating the parcels of land commonly known as 2626 and 2750 East 46th Street; 2421 and 2506 Willowbrook Parkway; 4740 and 4760 Kingsway Drive as an economic development target area.

SPECIAL ORDINANCE NO. 75, 1984, a special ordinance designating the parcel of land commonly known as 129 East Market Street as an economic development target area.

SPECIAL ORDINANCE NO. 76, 1984, a final bond ordinance authorizing the issuance of \$6,500,000 Economic Development Revenue Bonds for Butler Associates, Limited.

SPECIAL ORDINANCE NO. 77, 1984, a final bond ordinance authorizing the issuance of \$1,600,000 Economic Development Revenue Bonds for Indianapolis Heliport Corporation.

SPECIAL RESOLUTION NO. 98, 1984, honors the 1984 Warren Central High School AAAA State Football Champions.

SPECIAL RESOLUTION NO. 99, 1984, honors the Wheeler Boys Club Football Team.

SPECIAL RESOLUTION NO. 100, 1984, honors the local organizing committee of the National League of Cities Convention.

SPECIAL RESOLUTION NO. 101, 1984, an inducement resolution authorizing certain proceedings with respect to proposed economic development bonds for Web Realty of Indianapolis, Ltd. in an approximate amount of \$1,335,000.

SPECIAL RESOLUTION NO. 102, 1984, an inducement resolution authorizing certain proceedings with respect to proposed economic development bonds for Robert F. Titus and Edgar S. Wilbourn III and/or any entity(s) designated by either or both of the aforementioned persons in an amount not to exceed \$9,750,000.

SPECIAL RESOLUTION NO. 103, 1984, an inducement resolution authorizing certain proceedings with respect to proposed economic development bonds for Calderon Bros. Vending Machines, Inc. (or a partnership formed by the shareholders of Calderon Bros. Vending Machines, Inc.) in an approximate amount of \$1,700,000.

SPECIAL RESOLUTION NO. 104, 1984, an inducement resolution authorizing certain proceedings with respect to proposed economic development bonds for Van's Carburetor & Electric, Inc. or a partnership to be formed by the principals of said corporation and other members of the Van Vlymen family in an approximate amount of \$725,000.

SPECIAL RESOLUTION NO. 105, 1984, an inducement resolution authorizing certain proceedings with respect to proposed economic development bonds for Robert E. Carr or an entity to be formed in an approximate amount of \$3,200,000.

SPECIAL RESOLUTION NO. 106, 1984, an inducement resolution authorizing certain proceedings with respect to proposed economic development bonds for Cambridge Group, Inc. in an approximate amount of \$8,000,000.

SPECIAL RESOLUTION NO. 107, 1984, an inducement resolution amending previously adopted Special Resolution No. 54, 1984, to increase the dollar amount of the inducement resolution from \$4,000,000 to \$4,500,000 for Congregate Housing Partnership.

SPECIAL RESOLUTION NO. 108, 1984, an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 68, 1984 (inducement resolution for Brylane, Inc., a Delaware corporation, or any entity affiliated with Brylane, Inc.).

SPECIAL RESOLUTION NO. 109, 1984, an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 69, 1984 (inducement resolution for Indianapolis Heliport Corporation).

SPECIAL RESOLUTION NO. 110, 1984, an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 72, 1984 (inducement resolution for Massachusetts Point Partners, Ltd.).

SPECIAL RESOLUTION NO. 111, 1984, an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 75, 1984 (inducement resolution for Massachusetts Avenue Realty).

SPECIAL RESOLUTION NO. 112, 1984, an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 76, 1984 (inducement resolution for a partnership to be formed by the principals of Station Place Partnership).

SPECIAL RESOLUTION NO. 113, 1984, an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 77, 1984 (inducement resolution for JMH Partners).

Respectfully submitted,

s/William H. Hudnut, III

December 18, 1984

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
FIRE SPECIAL SERVICE DISTRICT COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the Fire Special Service District Council, Mrs. Beverly S. Rippy, the following ordinance:

GENERAL ORDINANCE NO. 1, 1984, amending provisions of the Fire Merit Ordinance concerning leave for members of the Indianapolis Fire Department.

Respectfully submitted,

s/William H. Hudnut, III

ADOPTION OF THE AGENDA

Consent was given for the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of January 7, 1985.

ORGANIZATION OF COUNCIL

SELECTION OF TEMPORARY OFFICERS

Councillor Gilmer moved, seconded by Councillor Miller to appoint Mr. Robert G. Elrod as the temporary chairman of the meeting and Mrs. Beverly S. Rippy as the temporary secretary. Dr. SerVaas then surrendered the gavel to Mr. Elrod.

ELECTION OF OFFICERS

Mr. Elrod opened the floor for moninations for the office of President. Councillor Cottingham nominated Councillor SerVaas for the office of President, seconded by Councillor Rader. Councillor Gilmer moved, seconded by Councillor Crowe, to close nominations. Nominations were closed by unanimous voice vote,

thereby electing Councillor SerVaas as President. Mr. Elrod then entertained nominations for the office of Vice President. Councillor Gilmer nominated Councillor Miller for the office of Vice President, second by Councillor Rhodes. Councillor Cottingham moved, seconded by Councillor Crowe, to close nominations. Nominations were closed by unanimous voice vote, thereby electing Councillor Miller as Vice President. Mr. Elrod then entertained nominations for the office of Clerk of the Council. Councillor Miller nominated Mrs. Beverly S. Rippy for the office of Clerk of the Council, seconded by Councillor Rader. Councillor Holmes moved, seconded by Councillor Rader, to close nominations. Nominations were closed by unanimous voice vote, thereby electing Mrs. Beverly S. Rippy as Clerk of the Council.

REAPPOINTMENT OF STAFF

Mr. Elrod surrendered the gavel to President SerVaas, who requested the following staff members be reappointed:

First Assistant Clerk - Debbie Holt
Second Assistant Clerk - Karen Meier
General Counsel - Robert G. Elrod
Senior Fiscal Budget Analyst - Roy C. Icenogle
Research Director - Thomas H. Stoughton
Assistant Attorney - Kenneth T. Roberts

Consent was given for these reappointments.

CERTIFICATION OF CAUCUS LEADERS

Certification of Election of Caucus Leader

The undersigned Councillors having affiliated themselves with the caucus of the Republican Party, hereby certify that by a vote taken at that caucus on the 19th day of November, 1984, Donald W. Miller, was elected as caucus leader.

Carlton Curry
Stephen R. West
Ray Crowe
Gordon Gilmer
William Schneider

Stanley Strader
David McGrath
Kenneth Giffin
Wayne Rader
Holley Holmes

Patricia Nickell
Betty Stewart
Stuart W. Rhodes
Julius F. Shaw
Allen Durnil
Beulah Coughenour

Dwight Cottingham
Amy S. Bradley
Philip C. Borst
Beurt SerVaas
Donald W. Miller
William Dowden

Certification of Election of Caucus Leader

The undersigned of the Democrat Party, hereby certify that by a vote taken at that caucus on the 10th day of December, 1984, Mrs. Lula Journey was elected as caucus leader.

David Page
Glenn Howard
Rozelle Boyd

Edgar Campbell
Harold Hawkins
Lula Journey

REPORT OF COMMITTEE ON COMMITTEES AND APPOINTMENT OF COMMITTEE CHAIRMEN

President SerVaas announced that committee assignments had been made for all committees for 1985 by the Committee on Committees. President SerVaas submitted the following list of committee chairmen and members subject to change by the Committee on Committees. The list reads as follows:

Administration Committee: Coughenour, Chairman; Curry, Hawkins, Holmes, McGrath, Shaw, Strader

Community Affairs Committee: Stewart, Chairman; Crowe, Curry, Giffin, Journey, Nickell, Bradley

County and Townships Committee: Cottingham, Chairman; Boyd, Bradley, Hawkins, Holmes, Giffin

Economic Development Committee: Schneider, Chairman; Boyd, Clark, Gilmer, Howard, Rader, Stewart

Metropolitan Development Committee: Borst, Chairman; Campbell, Crowe, Miller, Page, Rader, Strader

Municipal Corporations Committee: Clark, Chairman; Durnil, Rhodes, Shaw, Howard, Giffin

Parks and Recreation Committee: Durnil, Chairman; Crowe, Howard, Journey, Rhodes, Strader

Public Safety and Criminal Justice Committee: Dowden, Chairman; Borst, Campbell, Hawkins, Holmes, Nickell, Shaw, West

Public Works Committee: West, Chairman; Boyd, Coughenour, Nickell, Page, Rhodes

Rules and Policy Committee: McGrath, Chairman; Cottingham, Dowden, Hawkins, Journey, Miller, SerVaas

Transportation Committee: Gilmer, Chairman; Bradley, Campbell, Curry, McGrath, Page, Rader, Schneider

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections for the Journals of September 24, 1984 and October 8, 1984. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS --

Councillor Strader requested that the Council honor Mrs. Mary Lindsay who had recently passed away with a moment of silence.

PROPOSAL NO. 673, 1984. This proposal sets the schedule of regular council meeting dates for the year 1985. Councillor SerVaas stated that everyone should have an amended copy in their packets and that changes were made to accommodate as many councillors as possible. Councillor Howard moved, seconded by Councillor Gilmer for adoption. Proposal No. 673, 1984, was adopted by unanimous voice vote and retitled COUNCIL RESOLUTION NO. 1, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 1, 1985

A COUNCIL RESOLUTION approving a schedule of regular council meetings for the year 1985.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council hereby approves the following schedule for regular meetings for the year 1985:

- | | |
|-------------------------------|---------------------------------|
| 1) Monday - January 7, 1985 | 12) Monday - July 22, 1985 |
| 2) Monday - January 28, 1985 | 13) Monday - August 5, 1985 |
| 3) Monday - February 11, 1985 | 14) Monday - August 26, 1985 |
| 4) Monday - February 25, 1985 | 15) Monday - September 9, 1985 |
| 5) Monday - March 11, 1985 | 16) Monday - September 30, 1985 |
| 6) Tuesday - March 26, 1985 | 17) Tuesday - October 15, 1985 |
| 7) Monday - April 15, 1985 | 18) Monday - October 28, 1985 |
| 8) Monday - May 6, 1985 | 19) Monday - November 11, 1985 |
| 9) Monday - May 20, 1985 | 20) Monday - November 25, 1985 |
| 10) Monday - June 10, 1985 | 21) Monday - December 16, 1985 |
| 11) Monday - June 24, 1985 | |

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 18, 1985. This proposal approves the appointment of certain persons by the Mayor to fulfill the offices of Deputy Mayors and Department Directors for the year 1985. Councillor Miller said that the Mayor's cabinet had served the City well the past year and moved the adoption of Proposal No. 18, 1985, seconded by Councillor Cottingham. Proposal No. 18, 1985, was adopted by unanimous voice vote and retitled COUNCIL RESOLUTION NO. 2, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 2, 1985

A COUNCIL RESOLUTION approving the appointment of certain persons by the Mayor to fulfill the offices of Deputy Mayor and Department Directors during the period from January 1, 1985 through December 31, 1985.

WHEREAS, pursuant to IC 36-3-3-8 and Sections 2-142 and 2-143 of the "Code of Indianapolis and Marion County, Indiana" certain mayoral appointments of deputy mayors and department directors are subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the names of his appointees for the named positions, to serve in their respective offices at his pleasure from January 1, 1985 through December 31, 1985; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The following persons are approved and confirmed by the City-County Council for the respective offices for terms beginning January 1, 1985 and ending December 31, 1985 to serve at the pleasure of the Mayor, to wit:

Senior Deputy Mayor - Joseph A. Slash
Deputy Mayor - John L. Krauss
Director, Department of Administration - Donald R. McPherson
Director, Department of Metropolitan Development - David E. Carley
Director, Department of Parks and Recreation - F. Arthur Strong
Director, Department of Public Safety - Richard I. Blankenbaker
Director, Department of Public Works - Barbara S. Gole
Director, Department of Transportation - Fred L. Madorin

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 19, 1985. This proposal was sponsored by Councillors Giffin and Cottingham and memorializes Sumner A. Mills. Councillor Giffin read the resolution and presented it to family members Senator Morris Mills and his wife Mary Ann and the brother and sister of the late Sumner Mills, Mr. Howard Mills, Sr. and Beulah Thornburg. Councillor Giffin moved, seconded by Councillor Cottingham for adoption. Proposal No. 19, 1985, was adopted by unanimous voice vote and retitled SPECIAL RESOLUTION NO. 1, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 1, 1985

A SPECIAL RESOLUTION memorializing Sumner A. Mills.

WHEREAS, Sumner A. Mills passed away Christmas Eve, December 24, 1984; and

WHEREAS, Mr. Mills served the people of his city and community for many decades; and

WHEREAS, Sumner A. Mills was a former teacher and principal of West Newton High School and Trustee of Earlham College; and

WHEREAS, Mr. Mills was a founder of the Friends Committee on National Legislation and Chairman of the Central European Desk of the American Friends Service Committee; and

WHEREAS, Mr. Mills was a founder and President of Maplehurst Farms Dairy and former Chairman of the Board of Directors of Meridian Mutual Insurance Company; and

WHEREAS, Sumner A. Mills was a director of Flanner House and a founder and former President of the Decatur Township Historical Society; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council conveys its condolences to the family of Sumner A. Mills.

SECTION 2. The City-County Council expresses its gratitude for Mr. Mills' dedication and service to his community and city.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 20, 1985. This proposal postpones the effective date of certain regulations promulgated by the City Controller with respect to certain street vendors. Councillor Borst explained that the sponsors of this proposal were delaying the effective date until February 1, 1985, to give the Administration Committee a chance to hold a public hearing on the new regulations. Councillor Rhodes stated that Councillor Page, a sponsor of Proposal No. 20, was going to be out of town and does wish to attend the committee hearing. Councillor Rhodes moved, seconded by Councillor Page, to amend Proposal No. 20, 1985, by changing the effective date from February 1, 1985 until February 15, 1985. This motion passed by unanimous voice vote. Councillor Borst moved, seconded by Councillor Rhodes for adoption. Proposal No. 20, 1985, as amended, was adopted by unanimous voice vote and retitled **SPECIAL RESOLUTION NO. 2, 1985**, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 2, 1985

A SPECIAL RESOLUTION postponing the effective date of certain regulations promulgated by the City Controller with respect to certain street vendors.

WHEREAS, the City Controller on December 12, 1984, filed with the Clerk of the Council certain regulations respecting licensed street vendors; and

WHEREAS, such regulations become effective January 11, 1985, unless this Council stays such effective date; and

WHEREAS, the Council determines that the regulations should be reviewed by the Council before they become effective; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The regulations promulgated by the City Countroller on December 12, 1984 with respect to certain licensed street vendors, are hereby stayed and the effective date of such regulations postponed until February 15, 1985, pursuant to Section 2-4 of the "Code of Indianapolis and Marion County, Indiana".

SECTION 2. The licenses of vendors expiring December 31, 1984 are hereby temporarily extended until February 15, 1985.

SECTION 3. The regulations are referred to the Administration Committee for public hearing to determine if said regulations shall be amended or futher delayed.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 22, 1985. This proposal appoints members to certain boards and commissions. Councillor Miller explained that the terms of these appointees had expired and they did wish to be reappointed. Councillor Miller moved, seconded by Councillor Borst for adoption. Proposal No. 22, 1985, was adopted by unanimous voice vote and retitled COUNCIL RESOLUTION NO. 3, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 3, 1985

A COUNCIL RESOLUTION appointing members to certain boards and commissions.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. As a member of the Marion County Liquor Board, the Council appoints:

BRUCE MELCHERT

SECTION 2. As members of the City-County Administrative Board, the Council appoints:

JOYCE BRINKMAN WILLIAM MILLER

SECTION 3. As members of the Community Centers of Indianapolis Board, the Council appoints:

JESSE BABB CLARA JO GILLESPIE

SECTION 4. As members of the I.S.A. Board, the Council appoints:

HARRY EAKIN ED BUCKLEY

SECTION 5. As members of the Juvenile Detention Center Advisory Board, the Council appoints:

PATRICIA NICKELL WILLIAM SMITH CARL ANDREWS

SECTION 6. As a member of the Tax Adjustment Board, the Council appoints:

DWIGHT COTTINGHAM

SECTION 7. As a member of the Audit Committee, the Council appoints:

RICHARD PAYNE

SECTION 8. As members of the Cable Franchise Board, the Council appoints:

DON HARGADON TOM KRUDY

SECTION 9. As a member of the Equal Opportunity Advisory Board, the Council appoints:

EVELYN LOVELACE

SECTION 10. As members of the Metropolitan Development Commission, the Council appoints:

ROBERT I. SAMUELSON GEORGE M. BIXLER PAUL ROLAND

SECTION 11. As members of the Parks Board, the Council appoints:

RICHARD E. LAHR BARBARA E. O'LAUGHLIN

SECTION 12. As members of the Public Works Board, the Council appoints:

THOMAS O. HALE DONALD R. HUDSON

SECTION 13. As a member of the Transportation Board, the Council appoints:

WILLIAM WAYNE BURKING

SECTION 14. As members of the Board of Zoning Appeals I, the Council appoints:

JOANNA WALKER RICHARD T. HUNTER

SECTION 15. As members of the Board of Zoning Appeals II, the Council appoints:

JOHN C. FULLER ROBERT O'BRIEN

SECTION 16. As members of the Board of Zoning Appeals III, the Council appoints:

STEVE H. BRIZENDINE BILL LOCEY

SECTION 17. The foregoing appointments shall each be for terms of one (1) year beginning upon passage of this proposal, at the pleasure of the Council, and until their respective successors are appointed.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 2, 1985. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the leasing of surplus property through the Parks Department"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 3, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing a loading zone on a portion of Chesapeake Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 4, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing weight limit restrictions on a portion of Shanghai Road"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 5, 1985. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Northgate and Crittenden Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 6, 1985. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishes intersection controls at East 56th Street and the entrance to Cathedral High School"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 21, 1985. Introduced by Councillors Gilmer and SerVaas. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning activities in the right-of-way"; and the President referred it to the Transportation Committee. Councillor Gilmer also announced that the first committee meeting on this proposal would be held January 16, 1985, at 5:00 p.m. in Room 260 of the City-County Building.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 7, 1985. This proposal is a final bond ordinance authorizing the issuance of a maximum amount of \$48,000,000 Economic Development Revenue Bonds for Symphony Tower, an Indiana Limited Partnership. Councillor Schneider reviewed the project as the acquisition, construction and equipping of a mixed use facility consisting of a forty-one story building, containing 380 multi-family residential rental units which will also include 36,644 square foot of commercial/retail space at the ground and first floor above street levels plus approximately 704 parking spaces. The site is bounded by Court Street on the south, Pennsylvania Street on the east, Churchill' restaurant on the north and Scioto Street on the west. Bond financing contains the following documents: Loan Agreement, Indenture, Placement Agreement with The First Boston Corporation, Inducement Letter, Regulatory Agreement and Private Placement Memorandum. Individual Bonds will be in amounts of \$100,000 and higher, will mature on July 1, 1997, and bear interest payable initially on July 1, 1985. The interest rate will be approximately 10.2% after July 1, 1985, however, the ordinance authorizes a maximum interest rate of 15% to allow for flexibility in marketing the bonds. The Economic Development Committee on January 7, 1985, recommended Proposal No. 7, 1985, Do Pass by a vote of 5-0. Councillor Rhodes, an employee of Build America Government Securities, disclosed his interest and did not participate in any of the Council proceedings involving Proposal No. 7, 1985. Councillor Schneider moved, seconded by Councillor Howard for adoption. Proposal No. 7, 1985, was adopted on the following roll call vote; viz:

26 YEAS: Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Page, Rader, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

3 NOT VOTING: Borst, McGrath, Rhodes

Proposal No. 7, 1985, was retitled SPECIAL ORDINANCE NO. 1, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 1, 1985

A SPECIAL ORDINANCE of the City of Indianapolis, Indiana authorizing the issuance and sale of one or more series of revenue bonds in the aggregate principal amount not to exceed Forty-eight Million Dollars (\$48,000,000) and the loaning of the proceeds derived therefrom to Symphony Tower, an Indiana Limited Partnership to finance the costs of construction of an economic development facility.

WHEREAS, the City of Indianapolis, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of Indiana Code Sections 36-7-12-1 through 36-7-12-38, inclusive, as amended (hereinafter called the "Act"), is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to make direct loans to users for the cost of acquisition construction and equipping of economic development facilities to promote the general welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of acquisition or renovation of such economic development facilities, including engineering, legal fees and all other expenses relating thereto during construction, including the costs of issuing the bonds, and to secure said bonds pursuant to a Loan Agreement (the "Loan Agreement") dated as of January 1, 1985 by and among the City, Symphony Tower, an Indiana limited partnership (the "Owner"), and the Trust Indenture (the "Indenture") dated as of January 1, 1985 by and between the City and Midwest Commerce Banking Company, as trustee (the "Trustee"); and

WHEREAS, the Owner is an Indiana limited partnership duly organized and existing under the laws of the State of Indiana, having its principal place of business in the City of Indianapolis; and

WHEREAS, the Owner has agreed to acquire, construct, install and equip a mixed-use facility consisting of approximately 380 units of multi-family housing, 704 parking spaces and 36,644 square feet of commercial space located at 18 N. Pennsylvania Street through 42 N. Pennsylvania Street (the "Project") within the City and thereby assist in providing for the increased general economic welfare in and near the area of the City and has agreed to make payments pursuant to the Loan Agreement evidencing its loan obligations in an amount or amounts designed to be sufficient to pay the principal of, premium, if any, and interest on one or more series of the City's Economic Development Revenue Bonds (Symphony Tower Project) Series 1985 (the "Bonds"); and

WHEREAS, the City-County Council of Indianapolis and of Marion County, Indiana (the "City-County Council") has heretofore, by Ordinance and pursuant to the Act, created the Indianapolis Economic Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that the economic welfare of the City would be benefited by financing the acquisition of the Project for and on behalf of the Owner; and

WHEREAS, the Commission has approved a report and an amended report estimating the public services which would be made necessary or desirable, the expense thereof, the number of residential units developed for use on account of the acquisition of the Project and the cost of the Project and has submitted such report and amended report to the Presiding Officer of the Metropolitan Development Commission of Marion County, Indiana, and, if required by the Act, to the Superintendent of the school corporation where the facilities will be located; and

WHEREAS, after giving notice in accordance with the Act, the Commission held on January 7, 1985 a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the purposes and provisions of the Act, approving the financing and approving the form and terms of the Bonds proposed to be issued by the City for the purpose of funding a loan from the City to the Owner to fund the cost of acquisition, construction and equipping of the Project to pay certain costs of issuance and to fund certain reserve funds, and approving drafts of the forms of financing documents in connection therewith (the "Financing Documents"), two copies of which resolution and Financing Documents and information pertaining to the proposed financing have been transmitted to the City-County Council by the Secretary of the Commission all of which are on file in the office of the Clerk of the City-County Council for public inspection; and

WHEREAS, pursuant to the Act, the City-County Council adopted on September 10, 1984 a resolution finding that the proposed financing of the acquisition and construction of such economic development facilities by the Owner will be of benefit to the general welfare of the City, approving the proposed financing and authorizing the issuance by the City of its bonds, upon adoption by the City of a Bond Ordinance, payable solely from the sources, having such terms and provisions and secured as provided by the Indenture and the Loan Agreement; and

WHEREAS, there have been presented to this meeting the following documents which the City proposes to enter into or accept to effectuate the proposed issuance of the Bonds:

1. The form of Loan Agreement;
2. The form of Indenture which sets forth the terms of the Bonds (including, without limitation, the maturity dates, rates of interest and redemption provisions) and the conditions and security for the Bonds;
3. The form of Placement Agreement (the "Purchase Agreement") between the City and The First Boston Corporation (the "Placement Agent");
4. The form of Inducement Letter (the "Inducement Letter") from the general partners of the Owner to the City and the Placement Agent;
5. The form of Regulatory Agreement (the "Regulatory Agreement") among the City, the Owner, the Trustee and the Compliance Agent (hereinafter identified);
6. The form of Private Placement Memorandum relating to the Bonds (the "Private Placement Memorandum");
7. The form of the Bonds, as set forth in the Indenture; and

WHEREAS, it appears that each of the instruments above referred to, which are now before the City, is in appropriate form and is an appropriate instrument for the purposes intended; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Public Benefits. The City-County Council of Indianapolis and of Marion County, Indiana hereby finds and determines that the real estate, interests in real estate, other improvements thereon and other machinery and equipment to be acquired and constructed with the proceeds of the Bonds herein authorized are "economic development facilities" as that phrase is used in the Act and that the construc-

tion and equipping of the Project will improve and promote the economic stability, development and the general welfare of the area in and near the City, and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new economic facilities in such area.

SECTION 2. Findings. The City-County Council hereby finds that this Ordinance (the "Bond Ordinance") is of public benefit to the general welfare of the City by tending to overcome the deficiencies previously found to exist and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act) which will be required by the Project and further that the proposed financing will be of benefit to the welfare of the City and complies with the purposes and provisions of the Act.

SECTION 3. Authorization of Bonds.

(A) In order to provide for the financing of the Project, the Bonds are hereby authorized to be issued in one or more series in the total principal amount of not to exceed \$48,000,000, in accordance with the terms of the Indenture. The Bonds shall be issued in any denomination or denominations authorized by terms of the Indenture, shall be numbered consecutively from one (1) upwards and shall be typewritten, photo-offset, printed or any combination of the foregoing.

(B) The Bonds shall be issued in fully registered form without coupons, shall be dated as of their date of first authentication and delivery, except as otherwise provided in the Indenture, and shall mature on July 1, 1997 and bear interest payable on July 1, 1985 at a rate not to exceed 15% per annum, and thereafter at the times and at the variable or fixed rate established as provided therein and in the Indenture, provided that the interest rate shall not exceed a maximum rate of 15% per annum.

(C) The Bonds shall be subject to redemption prior to maturity and to purchase upon the demand of the owners thereof as provided therein and in the Indenture.

(D) The Mayor is hereby authorized to execute, by manual or facsimile signature, each of the Bonds in the name of the City in the manner provided by the Indenture. The Clerk of the City-County Council is hereby authorized to affix the corporate seal of the City to each of the Bonds or to impress the corporate seal thereon or to provide for the engraving or other reproduction of the corporate seal on each Bond and to attest, by manual or facsimile signature, to such affixing, imprinting, engraving or other reproduction of the corporate seal, all as provided in the Indenture.

SECTION 4. Obligation of Bonds.

(A) The Bonds shall be limited obligations of the City payable solely from certain payments and other amounts due pursuant to the Loan Agreement and from other moneys available to the Trustee under the Indenture, including a debt service reserve fund, if any.

(B) Each Bond shall contain thereon a statement substantially as follows: The Bonds are issued pursuant to and in full compliance with the Constitution and laws of the State of Indiana, particularly Indiana Code Section 36-7-12-1 et seq., as amended and pursuant to an ordinance adopted by the City which authorizes the execution and delivery of the Indenture. The Bonds and the interest thereon are limited obligations of the City and are payable solely from payments and other amounts due pursuant to the Loan Agreement. The Bonds are not in any respect a general obligation of the City and are not payable in any manner from revenues raised by taxation. The Bonds shall never constitute an indebtedness of the City or the State of Indiana or within the meaning of any constitutional or statutory provision but shall be payable solely from the revenues pledged therefor.

(C) Neither the City-County Council of the City or the Indianapolis Economic Development Commission (including the members of either or both) nor any person executing the Bonds shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance of the Bonds.

SECTION 5. Execution and Delivery of the Indenture, the Loan Agreement, the Regulatory Agreement and the Inducement Letter. The Indenture, the Loan Agreement, the Regulatory Agreement and the Inducement Letter are hereby approved in the forms presented to this meeting with such changes, omissions and insertions as the Mayor may approve which changes may be made without further approval of the City-County Council or the Indianapolis Economic Development Commission is such changes do not affect terms set forth in I.C. 36-7-12-27(a)(1) through (a)(11) inclusively. The Mayor, and Clerk with respect to the Indenture, Loan Agreement and Regulatory Agreement, are hereby authorized to execute, acknowledge and deliver the same on behalf of the City (such execution to be conclusive evidence of the approval of any such changes, omissions or insertions), and the Clerk of the City-County Council is hereby authorized to impress, imprint or otherwise affix the corporate seal of the City to the Indenture, the Loan Agreement, the Regulatory Agreement and the Inducement Letter.

SECTION 6. Sale of Bonds. The Bonds shall be sold to the purchasers thereof at a price of one hundred per centum (100%) of par value on the terms and conditions set forth in the Placement Agreement submitted to this meeting, with such changes, omissions and insertions as the Mayor may approve which changes may be made without further approval of the City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a)(1) through (a)(11) inclusively. The Mayor is hereby authorized to execute and deliver the Placement Agreement on behalf of the City (such execution to be conclusive evidence of the approval of any such changes, omissions or insertions), and the Clerk of the City-County Council is hereby authorized to impress, imprint or otherwise affix the corporate seal of the City to said document and attest to the impressing, imprinting or otherwise affixing of the corporate seal to said document. The proceeds of the sale of the Bonds shall be applied as provided in the Indenture.

SECTION 7. Private Placement Memorandum. The Private Placement Memorandum of the City relating to the Bonds is hereby approved in the form presented to this meeting with such changes, omissions and insertions as the Mayor may approve which changes may be made without further approval of the City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a)(1) through (a)(11) inclusively. The Mayor is hereby authorized to execute and deliver the Private Placement Memorandum on behalf of the City (such execution to be conclusive evidence of the approval of any such changes, omissions or insertions). The Placement Agent is hereby authorized to distribute the Private Placement Memorandum to prospective purchasers of the Bonds and any such distribution made prior to the passage of this Bond Ordinance is hereby ratified and approved.

SECTION 8. Appointment of Remarketing Agent; Indexing Agent; Registrar and Compliance Agent. The First Boston Corporation is hereby appointed to serve as the initial Remarketing Agent, The First Boston Corporation is hereby appointed to serve as the initial Indexing Agent and The Bank of New York is hereby appointed to serve as the initial Registrar. The Mayor is authorized to approve the appointment of any other agents, including the initial Compliance Agent under the Indenture, who may be required or desirable to complete the transactions contemplated or necessary by the issuance or reoffering of the Bonds.

SECTION 9. Authorization for Financing. The Trustee is hereby authorized to provide permanent financing for the Project under the terms of the Loan Agreement as provided in the Indenture.

SECTION 10. Effect of Agreements.

(A) All covenants, stipulations, obligations and agreements of the City contained in this Bond Ordinance and contained in each of the agreements or other documents authorized by this Bond Ordinance shall be deemed to be the covenants, stipulations, obligations and agreements of the City to the full extent authorized or permitted by law, and such covenants, stipulations, obligations and agreements shall be binding upon the City and its successors from time to time and upon any body to which any powers or duties affecting such covenants, stipulations, obligations and agreements shall be transferred by or in accordance with law. Except as otherwise provided in this Bond Ordinance, all rights, powers and privileges conferred and duties and liabilities imposed upon the City by the provisions of this Bond Ordinance, and by each of the agreements or other documents authorized by this Bond Ordinance shall be exercised or performed by the City or by such officers, board or body as may be required by law to exercise such powers and to perform such duties.

(B) All covenants, stipulations, promises, agreements and obligations of the City contained herein and in each of the agreements and other documents authorized by this Bond Ordinance shall be deemed to be covenants, stipulations, promises, agreements and obligations of the City and not of any member, officer or employee of the City in his individual capacity.

SECTION 11. Further Authority. The Mayor and the Clerk of the City-County Council are hereby designated the authorized representatives of the City, and each of them is hereby authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do and cause to be done any and all acts and things necessary desirable or convenient for carrying out this Bond Ordinance, the agreements and other documents authorized by this Bond Ordinance and the issuance or reoffering of the Bonds.

SECTION 12. Repeal, Amendment and Modification of this Bond Ordinance. This Bond Ordinance shall be part of the contract with the owners from time to time of the Bonds and from and after the delivery of the Bonds shall not be repealed, amended or modified except to the extent and in the manner permitted for supplemental agreements to the Indenture.

SECTION 13. Effective Date and Repeal of Conflicting Ordinances or Resolutions. This Bond Ordinance shall take effect and be in full force and effect immediately upon adoption and compliance with IC 36-3-4-14. All ordinances or resolutions inconsistent with this Bond Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 14. Severability. If any provision of this Bond Ordinance shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent whatever; provided however, that if the limitation on the source of revenues to pay principal, interest and premium, if any, on the Bonds is held invalid, the Issuer shall have no obligation to pay the Bonds from other sources.

PROPOSAL NOS. 8-10, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on December 20, 1984". No action was taken by the Council; and the proposals were deemed adopted. Proposal Nos. 8-10, 1985, were retitled REZONING ORDINANCE NOS. 1-3, 1985, and read as follows:

**REZONING ORDINANCE NO. 1, 1985 84-Z-171B WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 4
4310 EAST 62ND STREET, INDIANAPOLIS**
Pickwick Investment Company, by John W. Tousley, requests a rezoning of 2.04 acres, being in the SU-18 and A-2 districts, to the C-3 classification, to provide for the construction of a neighborhood retail center.

**REZONING ORDINANCE NO. 2, 1985 84-Z-192 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 4
1420 EAST 86TH STREET, INDIANAPOLIS**
Burger Chef Systems, Inc., by William F. LeMond, requests the rezoning of 11.29 acres, being in the D-2, C-3 and C-4 districts, to the C-3 classification, to provide for the reconstruction of a new retail commercial center.

**REZONING ORDINANCE NO. 3, 1985 84-Z-200 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 4
4650 SHADELAND AVENUE, INDIANAPOLIS**
Edward T. O'Meara, by James L. Tuohy, requests the rezoning of 12.16 acres, being in the D-4 district, to the SU-1 classification, to conform zoning to its use as a church, school, rectory, convent and recreational facilities and to permit construction of a new church.

PROPOSAL NOS. 11-17, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on January 3, 1985". No action was taken by the Council and the proposals were deemed adopted. Proposal Nos. 11-17, 1985, were retitled REZONING ORDINANCE NOS. 4-10, 1985, and read as follows:

**REZONING ORDINANCE NO. 4, 1985 84-Z-199 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 18
1149 SOUTH LYNHURST DRIVE, INDIANAPOLIS**
Wake Up Oil Company, Inc., by William A. Freihofer, requests the rezoning of 0.99 acres, being in the D-3 district, to the C-3 classification, to provide for the removal of existing improvements and the construction of a service station and convenience food market.

**REZONING ORDINANCE NO. 5, 1985 84-Z-207 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
11220 EAST 30TH STREET, INDIANAPOLIS**
The Church of Jesus Christ of Latter Day Saints, by Richard C. Baier, requests the rezoning of 2.5 acres, being in the A-2 district, to the SU-1 classification, to provide for the construction of a church.

**REZONING ORDINANCE NO. 6, 1985 84-Z-208 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
8531 BASH STREET (REAR), INDIANAPOLIS**
Bee Development, by Michael C. Cook, requests the rezoning of 1.60 acres, being in the SU-41 district, to the I-3-S district, to provide for industrial development.

**REZONING ORDINANCE NO. 7, 1985 84-Z-209 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 24
4936 REDFERN AVENUE, INDIANAPOLIS**

Robert De Vaan, by Stephen A. Harlow, requests the rezoning of 3.41 acres, being in the D-4 and C-4 districts, to the C-6 classification, to provide for the construction of a budget motel.

**REZONING ORDINANCE NO. 8, 1985 84-Z-212 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20
3120 MADISON AVENUE, INDIANAPOLIS**

Joseph Caito, et al, by William F. LeMond, request the rezoning of 3.54 acres, being in the D-3 and C-5 districts, to the C-S classification, to provide for the construction of mini-warehouses including a resident manager.

**REZONING ORDINANCE NO. 9, 1985 84-Z-213 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 12
9401 EAST 25th STREET, INDIANAPOLIS**

First Church of the Nazarene, by Louis H. Borgmann, requests the rezoning of 27.17 acres, being in the A-2 and D-4 districts, to the SU-1 classification, to provide for the construction of a church.

**REZONING ORDINANCE NO. 10, 1985 85-Z-4 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21
711 EAST WASHINGTON STREET, INDIANAPOLIS**

Metropolitan Development Commission requests the rezoning of 4.44 acres, being in the C-5 and I-3-U districts, to the SU-7 classification, to provide for the relocation of a charitable and philanthropic institution.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 661, 1984. This proposal appropriates \$404,284 for Superior Court, Criminal and Juvenile Divisions for the payment of public defenders. Councillor Dowden stated that this proposal rearranges the method of payment of public defenders in the six criminal courts and the Juvenile Court. Instead of being paid from Character 01, Personal Services, the public defenders will be paid out of Character 03, Other Services and Charges. The Public Safety and Criminal Justice Committee on December 12, 1984, recommended Proposal No. 661, 1984, Do Pass As Amended by a vote of 5-0. The amendment changed the effective date to be retroactive to January 1, 1985. The President called for public testimony at 7:57 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Giffin for adoption. Proposal No. 661, 1984, as amended, was adopted on the following roll call vote; viz:

28 YEAS: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Schneider, SerVaas, Shaw,

Stewart, Strader, West
NO NAYS
1 NOT VOTING: Rhodes

Proposal No. 661, 1984, as amended, was retitled FISCAL ORDINANCE NO. 1, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 1, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Four Hundred Four Thousand Two Hundred Eighty-four Dollars (\$404,284) in the County General Fund for purposes of the Superior Court, Criminal and Juvenile Divisions and reducing certain other appropriations for these divisions and the Marion County Auditor.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds for the payment of Public Defenders in Contractual Services.

SECTION 2. The sum of Four Hundred Four Thousand Two Hundred Eighty-four Dollars (\$404,284) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

CRIMINAL DIVISION - ROOM 1	COUNTY GENERAL FUND
3. Other Services & Charges	\$52,464
CRIMINAL DIVISION - ROOM 2	
3. Other Services & Charges	65,580
CRIMINAL DIVISION - ROOM 3	
3. Other Services & Charges	65,580
CRIMINAL DIVISION - ROOM 4	
3. Other Services & Charges	65,580
CRIMINAL DIVISION - ROOM 5	
3. Other Services & Charges	65,580
CRIMINAL DIVISION - ROOM 6	
3. Other Services & Charges	65,580
JUVENILE DIVISION	
3. Other Services & Charges	23,920
TOTAL INCREASE	\$404,284

SECTION 4. The said additional appropriations are funded by the following reductions:

CRIMINAL DIVISION - ROOM 1	COUNTY GENERAL FUND
1. Personal Services	\$52,298
CRIMINAL DIVISION - ROOM 2	
1. Personal Services	65,569
CRIMINAL DIVISION - ROOM 3	
1. Personal Services	60,980
CRIMINAL DIVISION - ROOM 4	
1. Personal Services	64,078
CRIMINAL DIVISION - ROOM 5	
1. Personal Services	65,560

CRIMINAL DIVISION - ROOM 6

1. Personal Services	64,038
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JUVENILE DIVISION

1. Personal Services	23,920
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MARION COUNTY AUDITOR

1. Personal Services (Fringes)	\$ 7,841
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TOTAL REDUCTION	\$404,284
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SECTION 5. The personnel schedules are hereby amended by deleting the cross-hatched portions and adding the new amounts as underlined herein:

(7) SUPERIOR COURT - CRIMINAL DIVISION - ROOM ONE - Dept. 51

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,111	17,111
Court Reporters	2	17,804	35,608
Bailiffs	2	14,543	29,086
Chief Clerk	1	16,406	16,406
Record Clerk	1	13,835	13,835
Master Commissioner	1	19,185	19,185
Secretary	1	14,539	14,539
Public Defenders	5 <u>1</u>	13,082	\$54,414 <u>13,113</u>
Clerk	1	12,824	12,824
TOTAL	17 <u>11</u>		192,409 <u>171,707</u>

(8) SUPERIOR COURT - CRIMINAL DIVISION - ROOM TWO - Dept. 52

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,153	17,153
Court Reporters	2	17,845	35,691
Bailiffs	2	15,088	29,156
Chief Clerk	1	15,984	15,984
Secretary	1	15,073	15,073
Record Clerk	1	13,899	13,899
Clerk	1	12,840	12,840
Master Commissioner	1	19,232	19,232
Public Defenders	5 <u>0</u>	14,114 <u>0</u>	\$5,569 <u>0</u>
Temporary Part-time		1,561	<u>1,561</u>
TOTAL	17 <u>10</u>		228,458 <u>160,589</u>

(9) SUPERIOR COURT - CRIMINAL DIVISION - ROOM THREE - Dept. 41

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,153	17,153
Court Reporters	2	17,845	35,690
Bailiffs	2	16,538	29,152

Chief Clerk	1	16,922	16,922
Record Clerks	2	12,900	25,800
Master Commissioner	1	19,232	19,232
Secretary	1	14,574	14,574
Grand Jury Bailiff	1	8,938	8,938
By the Department	0	0	0
Temporary Salaries			2,000

TOTAL 11 169,461

(10) SUPERIOR COURT - CRIMINAL DIVISION - ROOM FOUR - Dept. 42

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Court Reporters	2	17,845	35,690
Bailiffs	2	15,364	29,150
Chief Clerk	1	15,431	15,431
Record Clerk	1	15,145	15,145
Clerk	1	12,146	12,146
Secretary	1	14,573	14,573
Master Commissioner	1	19,229	19,229
By the Department	0	0	0
Judge	1	17,153	17,153
Temporary Salaries			1,793

TOTAL 10 160,310

(11) SUPERIOR COURT - CRIMINAL DIVISION - ROOM FIVE - Dept. 61

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,153	17,153
Bailiffs	2	14,871	29,170
Court Reporters	2	17,846	35,692
Chief Clerk	1	16,921	16,921
Record Clerk	1	12,312	12,312
Court Clerk	1	12,312	12,312
Secretary	1	14,573	14,573
Master Commissioner	1	19,231	19,231
By the Department	0	0	0
Temporary			2,000

TOTAL 10 159,364

(12) SUPERIOR COURT - CRIMINAL DIVISION - ROOM SIX - Dept. 62

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,153	17,153
Court Reporters	2	17,844	35,688
Secretary	1	15,614	15,614

Bailiffs	2	14,577	28,097
Clerks	3	15,389	43,656
Master Commissioner	1	19,230	19,230
Temporary Salaries			1,093
Police/Deputies	5 0	12,107 0	64,038 0
TOTAL	11 10		234,598 160,531

(4) SUPERIOR COURT - JUVENILE DIVISION - Dept. 65
County General Fund

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judge	1	17,153	17,153
Administrators	3	36,698	87,231
Managers	14	25,643	295,580
Secretaries	4	13,734	49,730
Computer Operators	4	15,000	52,087
Clerk-Typists	15	12,668	109,923
Referees	4	31,648	96,948
Court Reporters	6	21,708	125,181
Bailiffs	7	16,024	92,245
Probation	61	23,504	909,337
Professional Staff	3 3	29,226	110,438 81,012
Maintenance Staff	8	13,009	69,798
Jury Per Diem			8,160
Temporary Help			12,852
Vacancy Factor			<u>(170,251)</u>
TOTAL	117 130		1,890,999 1,836,986

SECTION 6. This ordinance shall be in full force and effect retroactive to January 1, 1985 upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 523, 1984. This proposal changes intersection controls at Cleveland Street and Miami Street. Councillor Gilmer explained that Proposal No. 523, is no longer needed, because Miami Street has been vacated. The Transportation Committee on December 19, 1984, recommended Proposal No. 523, 1984, to be stricken. Consent was given.

PROPOSAL NOS. 613, 665, 666, 667, 668, and 669, 1984. Councillor Gilmer stated that the Transportation Committee on December 19, 1984, recommended Proposal Nos. 613, 665, 666, 667, 668 and 669, 1984, Do Pass by a vote of 4-0.

PROPOSAL NO. 613, 1984, changes weight limit controls on a portion of Hoyt Avenue. PROPOSAL NO. 665, 1984, changes intersection controls at Tacoma Avenue and McLeay Drive. PROPOSAL NO. 666, 1984, changes intersection controls at various intersections. PROPOSAL NO. 667, 1984, changes parking controls on a portion of 13th Avenue. PROPOSAL NO. 668, 1984, changes parking controls on a portion of 46th Street. PROPOSAL NO. 669, 1984, changes speed limit controls on portions of 42nd Street. Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption. Proposal Nos. 613, 665, 666, 667, 668, and 669, 1984, were adopted on the following roll call vote; viz:

29 YEAS: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

Proposal Nos. 613, 665, 666, 667, 668, and 669, 1984, were retitled GENERAL ORDINANCE NOS. 1-6, 1985, consecutively and read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 1, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-224, Trucks on certain streets restricted, be and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

Hoyt Avenue, from Sherman Drive to Grant Avenue

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 2, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 9	McLeay Dr. & Tacoma Ave.	McLeay Dr.	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
	McLeay Dr. & Tacoma Ave.	NONE	4-WAY STOP

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 3, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
19, Pg. 1	Aberdeen Cir. & Marrison Pl.	NONE	NONE
19, Pg. 1	Andover Rd. & Staughton Dr.	NONE	NONE
19, Pg. 1	Andover Rd. & Thornleigh Dr.	NONE	NONE
40, Pg. 1	Arlington Ave. & Edgewood Ave.	Arlington Ave.	SIGNAL
19, Pg. 3	Berkshire Le. & Berkshire Rd.	NONE	NONE
19, Pg. 3	Berkshire Rd. & Burnleigh Cir.	NONE	NONE
19, Pg. 3	Berkshire Rd. & Devon Dr.	NONE	NONE
19, Pg. 4	Brown Rd. & Staughton Dr.	NONE	NONE
12, Pg. 2	Chatham Pl. & Winston Dr.	NONE	NONE
2, Pg. 1	Clayburn Dr. & Deerview Dr.	Deerview Dr.	STOP
12, Pg. 3	Derby Le. & Dickson Rd.	NONE	NONE
19, Pg. 6	Derby Le. & Radnor Rd.	NONE	NONE
19, Pg. 6	Devon Lake Rd. & Sharon Le.	NONE	NONE
19, Pg. 6	Dickson Rd. & Dundee Cir.	NONE	NONE

19, Pg. 6	Dickson Rd. & Laurel Cir.	NONE	NONE
19, Pg. 6	Dickson Rd. & Winston Dr.	NONE	NONE
30, Pg. 3	S. Dukane Wy. & Dunn Wy.	S. Dukane Wy.	YIELD
19, Pg. 10	Laural Cir. & Radnor Rd.	NONE	NONE
19, Pg. 10	Laural Cir. & Staughton Dr.	NONE	NONE
19, Pg. 10	Laural Cir. & Thornleigh Dr.	NONE	NONE
19, Pg. 10	Linton Le. & Marrison Pl.	NONE	NONE
19, Pg. 10	Linton Le. & Thornleigh Rd.	NONE	NONE
12, Pg. 7	Wexford Rd. & Winston Dr.	NONE	NONE
32, Pg. 7	Dawson St. & Lawton Av.	Dawson St.	YIELD
3, Pg. 2	Ditch Rd. & W. 75th Pl.	NONE	NONE
3, Pg. 2	Ditch Rd. & W. 76th Pl.	NONE	NONE
3, Pg. 2	Ditch Rd. & Minturn Le.	NONE	NONE
26, Pg. 18	N. Sheridan Av. & St. Joseph St.	NONE	NONE
22, Pg. 1	Beckford Dr. & Lansdowne Rd.	NONE	NONE
19, Pg. 6	Dickson Rd. & Winston Dr.	NONE	NONE
27, Pg. 2	Carroll White Dr. & E. 15th St.	NONE	NONE
27, Pg. 5	N. Huber St. & Wellington Av.	NONE	NONE
27, Pg. 5	N. Huber St. & E. 13th St.	NONE	NONE
27, Pg. 5	N. Huber St. & E. 14th St.	NONE	NONE
27, Pg. 5	N. Huber St. & E. 15th St.	NONE	NONE
27, Pg. 6	Old Washington & Rosemere Av.	NONE	NONE
28, Pg. 3	Old Washington & Whittfield St.	NONE	NONE
27, Pg. 4	S. Galeston Av. & Old Washington	S. Galeston Av.	STOP
27, Pg. 2	S. Brentwood Av. & Old Washington	NONE	NONE
27, Pg. 2	S. Brentwood Av. & E. Washington St.	E. Washington St.	STOP
27, Pg. 2	Rosemere Av. & E. Washington St.	E. Washington St.	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
19, Pg. 1	Aberdeen Cir. & Marrison Pl.	Marrison Pl.	YIELD
19, Pg. 1	Andover Rd. & Staughton Dr.	Andover Rd.	STOP
19, Pg. 1	Andover Rd. & Thornleigh Dr.	Thornleigh Rd.	STOP
40, Pg. 1	Arlington Ave. & Edgewood Ave.		4-WAY STOP
19, Pg. 3	Berkshire Le. & Berkshire Rd.	Berkshire Rd.	STOP
19, Pg. 3	Berkshire Rd. & Burnleigh Cir.	Berkshire Rd.	YIELD
19, Pg. 3	Berkshire Rd. & Devon Dr.	Berkshire Rd.	STOP
19, Pg. 4	Brown Rd. & Staughton Dr.	Staughton Dr.	STOP
12, Pg. 2	Chatham Pl. & Winston Dr.	Winston Dr.	YIELD
2, Pg. 1	Clayburn Dr. & Deerview Dr.	Clayburn Dr.	STOP
12, Pg. 3	Derby Le. & Dickson Rd.	Dickson Rd.	STOP
19, Pg. 6	Derby Le. & Radnor Rd.	Radnor Rd.	STOP
19, Pg. 6	Devon Lake Rd. & Sharon Le.	Devon Lake Rd.	YIELD
19, Pg. 6	Dickson Rd. & Winston Dr.	Dickson Rd.	STOP
19, Pg. 6	Dickson Rd. & Dundee Cir.	Dickson Rd.	STOP
19, Pg. 6	Dickson Rd. & Laurel Cir.	Laurel Cir.	STOP
3, Pg. 2	Double Tree Blvd. & Michigan Rd.	Michigan Rd.	STOP
30, Pg. 3	Dukane Wy. & Dunn Wy.	Dukane Wy.	STOP
19, Pg. 10	Laurel Cir. & Radnor Rd.	Laurel Cir.	STOP
19, Pg. 10	Laurel Cir. & Staughton Dr.	Laurel Cir.	STOP
19, Pg. 10	Laurel Cir. & Thornleigh Dr.	Laurel Cir.	STOP
19, Pg. 10	Linton Le. & Marrison Pl.	Linton Le.	STOP
19, Pg. 10	Linton Le. & Thornleigh Rd.	Thornleigh Rd.	STOP
12, Pg. 7	Wexford Rd. & Winston Dr.	Winston Dr.	YIELD
32, Pg. 7	Dawson St. & Lawton Av.	Dawson St.	STOP
3, Pg. 2	Ditch Rd. & 75th Pl.	Ditch Rd.	STOP
3, Pg. 2	Ditch Rd. & 76th Pl.	Ditch Rd.	STOP
3, Pg. 2	Ditch Rd. & Minturn Le.	Ditch Rd.	STOP

40, Pg. 3	Hill Rise Dr. & Whirlaway Dr.	Rhirlaway Dr.	STOP
26, Pg. 18	Sheridan Av. & St. Joseph St.	Sheridan Av.	STOP
26, Pg. 18	Sheridan Av. & 9th St.	9th St.	STOP
22, Pg. 1	Beckford Dr. & Lansdowne Rd.	Beckford Dr.	STOP
22, Pg. 1	Beckford Dr. & Richie Av.	Beckford Dr.	STOP
27, Pg. 2	Carroll White Dr. & 15th St.	Carroll White Dr.	STOP
27, Pg. 5	Huber St. & Wellington Dr.	Wellington Dr.	STOP
27, Pg. 5	Huber St. & 13th St.	Huber St.	STOP
27, Pg. 5	Huber St. & 14th St.	Huber St.	STOP
27, Pg. 5	Huber St. & 15th St.	Huber St.	STOP
27, Pg. 8	Wellington Av. & 16th St.	16th St.	STOP
27, Pg. 8	Wellington Av. & 16th St. Access Dr.	NONE	NONE
27, Pg. 7	Rosemere Av. & Washington St. Access Dr.	Wash St. Access Dr.	STOP
28, Pg. 3	Washington St. Access Dr. & Wittfield St.	Wittfield St.	STOP
27, Pg. 4	Galeston Av. & Washington St. Access Dr.	Galeston Av.	STOP
27, Pg. 2	Brentwood Av. & Washington St. Access Dr.	NONE	NONE

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 4, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

13th Avenue, both sides, from Albany Street to Churchman Avenue;

Churchman Avenue, both sides, from 13th Avenue to Emerson Avenue.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 5, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets and Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the deletion of the following, to wit:

Forty-sixth Street, on both sides, from College Avenue to the east city limits;

Forty-sixth Street, on both sides, from Keystone Avenue to the east city limits;

Forty-sixth Street, on the north side, from Boulevard Place to the Monon Railroad;

Forty-sixth Street, on the north side, from Keystone Avenue to Evanston Avenue;

Forty-sixth Street, on the north side, from the Monon Railroad to Primrose Avenue.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Forty-sixth Street, on both sides, from Boulevard Place to First Alley east of College;

Forty-sixth Street, on both sides, from Erie Avenue to Woodcroft Avenue.

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SUNDAY

From 6:00 a.m. to 9:00 a.m. and

From 3:00 p.m. to 6:00 p.m.

Forty-sixth Street, on both sides, from College Avenue to Keystone Avenue

**ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS**

From 4:00 p.m. to 6:00 p.m.

Forty-sixth Street, on the north side, from Primrose Avenue to Caroline Avenue

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the addition of the following, to wit:

**ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS**

From 6:00 a.m. to 9:00 a.m. and

From 3:00 p.m. to 6:00 p.m.

Forty-sixth Street, on both sides, from the First Alley east of College to Erie Avenue.

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 6, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-136, Alteration of prima facie speed limits.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the addition of the following, to wit:

Forty-second Street, from Pendleton Pike to Newburgh Drive, 35 MPH; and

Forty-second Street, from Newburgh Drive to County Line Road, 40 MPH.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 662, 1984. This proposal transfers \$136,420 for the Marion County Sheriff to amend the salary schedule and health service program in accordance with the F.O.P. contract. Councillor Dowden pointed out that the 1985 budget included a 4% increase for each employee and the recent F.O.P. contract provided for a \$1,000 increase across-the-board which is approximately a 4.8% increase. During the meeting, the committee changed the effect date to be retroactive to January 1, 1985. They also reduced the maximum number of Sergeants from 95 to 94, increased the maximum number of Lieutenants from 31 to 32 and made salary changes accordingly. The Public Safety and Criminal Justice Committee on December 12, 1984, recommended Proposal No. 662, 1984, Do Pass As Amended by a vote of 6-0. Councillor Dowden moved, seconded by Councillor Giffin for adoption. Proposal No. 662, 1984, as amended, was adopted on the following roll call vote; viz:

29 YEAS: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

Proposal No. 662, 1984, as amended, was retitled FISCAL ORDINANCE NO. 2, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 2, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating One Hundred Thirty-six Thousand Four Hundred Twenty Dollars (\$136,420) in the County General Fund for purposes of the Marion County Sheriff and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(7) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds to amend the salary schedule and health services program in accordance with the F.O.P. contract.

SECTION 2. The sum of One Hundred Thirty-six Thousand Four Hundred Twenty Dollars (\$136,420) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$136,420</u>
TOTAL INCREASE	\$136,420

SECTION 4. The said increased appropriation is funded by the following reductions:

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
1. Personal Services	<u>\$ 97,220</u>
2. Supplies	<u>39,200</u>
TOTAL REDUCTION	\$136,420

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(7) COUNTY SHERIFF - Dept. 18

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Sheriff	1	20,750	20,750
Executive Officer	1	37,100 37,500	37,100 37,500
Deputy Chief	5	35,000 35,500	177,500 177,500
Major	5	30,500 30,500	152,500 152,500
Captain	11	25,828 25,828	284,108 284,108
Lieutenant	31 32	24,173 24,173	773,536 773,536
Sergeant	94 94	23,015 23,015	2,163,410 2,163,410
Corporal	51	22,104 22,104	1,127,304 1,127,304
Deputy 3rd Year	250	21,488 21,610	5,402,500 5,402,500
First Deputy	1	31,990	31,990
Admin. Assistant	1	24,437	24,437
Major (Spec. Deputy)	1	21,695	21,695
Captain (Spec. Deputy)	1	19,388	19,388

Lieutenant (Spec. Deputy)	2	17,808	35,616
Sergeant (Spec. Deputy)	9	15,720	141,480
Deputy (Spec. Deputy)	34	13,979	475,286
Correct. Officer 2nd yr.	37	17,160	628,000
Correct. Officer 1st yr.	71	16,120	1,144,520
Crime Watch Coordinator	1	16,758	16,758
Chaplain	2	18,564	36,118
Executive Secretary	2	17,472	29,629
Division Secretary	5	11,002	55,010
Clerk/Typist	35	14,120	359,460
Mechanic	9	19,388	159,750
Attendant	7	11,238	78,666
Merit Board			1,050
Reserve Salaries			700
Vacancy Factor			<u>1482/7011 (483,859)</u>
Temporary Salaries			50,000
Overtime & Shift Differential			<u>292,244 345,309</u>
Professional Salaries			<u>70,882 22,900</u>
Clothing Allowance			36,000
Longevity			331,980
Educational Bonus			99,500
M.C.L.E. Pension			<u>1,921,878 1,679,823</u>
Insurance:			
Health			<u>1508,040 595,260</u>
Life Insurance			<u>41,905</u>
TOTAL	668		<u><u>18,214,689 16,117,479</u></u>

SECTION 6. This ordinance shall be in full force and effect retroactive to January 1, 1985 and upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 663, 1984. This proposal increases pension benefits for certain employees of the Sheriff's Department. Councillor Dowden explained that benefits will increase because employees who choose to remain employed after they have served twenty years will receive another 2% for each year they remain on the Sheriff's Department. This will ultimately reduce training costs. The Public Safety and Criminal Justice Committee on December 12, 1984, recommended Proposal No. 663, 1984, Do Pass by a vote of 6-0. Councillor Dowden moved, seconded by Councillor Hawkins for adoption. Proposal No. 663, 1984, was adopted on the following roll call vote; viz:

28 YEAS: Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Cottingham

Proposal No. 663, 1984, was retitled GENERAL RESOLUTION NO. 1, 1985, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 1, 1985

A GENERAL RESOLUTION increasing the maximum monthly pension payable to members of the Marion County Sheriff's Department in accordance with I.C. 36-8-10-12.

WHEREAS, the General Assembly of the State of Indiana, by the provision of P.L. 203-1984 amended I.C. 36-8-10-12, providing for the establishment operation, and funding of a pension trust for employees of sheriff's departments; and

WHEREAS, I.C. 36-8-10-12(j) permits, in counties where the fiscal body approves, an increase in the maximum monthly pension for an employee beneficiary who retires after December 31, 1984, up to a maximum of seventy-four percent (74%) plus twenty dollars (\$20.00) of the average monthly wage received during the highest paid five (5) years before the employee's retirement for each year of service over twenty (20) years; and

WHEREAS, the Marion County Law Enforcement Personnel Retirement Board, as the board responsible for administering the pension trust for the Marion County Sheriff's Department, has determined that it is in the best interests of the pension trust and of its beneficiaries to adopt the increases permitted by I.C. 36-8-10-12; and

WHEREAS, the Marion County Law Enforcement Personnel Retirement Board approved such an increase on May 21, 1984; and

WHEREAS, such an increase was made a part of the terms and conditions of the Agreement between the Sheriff of Marion County and Marion County, Indiana and members of the Fraternal Order of Police, Lodge No. 86, for the contract period January 1, 1985 through December 31, 1988; and

WHEREAS, the City-County Council of Indianapolis and of Marion County, Indiana, is the fiscal body which must approve any increases made pursuant to I.C. 36-8-10-12; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council hereby approves the increases in monthly pension benefits for employee beneficiaries retiring after December 31, 1984, in accordance with the provision of I.C. 36-8-10-12(j), as amended by P.L. 203-1984.

SECTION 2. The increases in monthly pension benefits for employee beneficiaries of the Marion County Sheriff's Department provided for by I.C. 36-8-10-12(i) are as follows:

For an employee beneficiary who retires before January 1, 1985, a monthly pension may not exceed by more than twenty dollars (\$20.00) one half (1/2) the amount of the average monthly wage received during the highest paid five (5) years before retirement. The maximum monthly pension for an employee beneficiary who retires after December 31, 1984, may be increased by no more

or no less than two percent (2%) of that average monthly wage for each year of service over twenty (20) years to a maximum of seventy-four percent (74%) of that average monthly wage plus twenty dollars (\$20.00).

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL SERVICE DISTRICT COUNCILS

POLICE SPECIAL SERVICE DISTRICT COUNCIL

The President called the Police Special Service District Council to order at 8:20 p.m. Twenty-nine members being present, he announced a quorum.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 664, 1984. This proposal amends benefits for members of the Police Force and classifies major as a non-merit rank. Councillor Dowden explained that the state statute dealing with sick leave recently expired and Proposal No. 664, 1984, outlines the sick leave regulations into a local ordinance. These agreements were made during the contract negotiations and will retain benefits for current employees of the force but will decrease benefits for new employees hired after January 1, 1985. The Committee during its meeting made some technical amendments which are reflected in the ordinance. The Public Safety and Criminal Justice Committee on December 12, 1984, recommended Proposal No. 664, 1984, Do Pass As Amended by a vote of 6-0. Councillor Dowden moved, seconded by Councillor Rader for adoption. Proposal No. 664, 1984, as amended, was adopted on the following roll call vote; viz:

27 YEAS: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

2 NOT VOTING: *Clark, Durnil*

Proposal No. 664, 1984, as amended, was retitled POLICE SPECIAL SERVICE DISTRICT GENERAL ORDINANCE NO. 1, 1985, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT GENERAL ORDINANCE NO. 1, 1985

A GENERAL ORDINANCE OF THE POLICE SPECIAL SERVICE DISTRICT concerning leave for members of the Indianapolis Police Department.

BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 1 of Part I of Appendix B of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by inserting the words underlined as follows:

Sec. 1. Holidays and compensation.

Because of the nature of the work of the Indianapolis police force, many officers therein in the regular rotation of their duties are required to work on the following holidays, when other citizens are free from the duties of their employment, to wit:

New Years Day	Thanksgiving Day
Decoration Day	Christmas Day
Labor Day	Easter Sunday
Independence Day	Washington's Birthday
Veterans Day	Discovery Day

Because of the pressures of police work and the around-the-clock requirements for those who are engaged in such work, it is deemed by this Police Special Service District Council that these days shall constitute bonus days, and they shall receive regular pay to compensate them for the services the entire police department must give on the foregoing holidays.

SECTION 2. Sec. 2 of Part I of Appendix B of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by inserting the words underlined as follows:

Sec. 2. Annual leave.

(a) Each active member of the Indianapolis Police Department hired on or before December 31, 1984 shall receive hereafter not less than twenty-one (21) consecutive calendar days' annual leave with full salary each and every fiscal year. Provided, that hereafter any active member of said police department hired on or before December 31, 1984, who shall have served from ten (10) years to twenty (20) years on said department shall receive not less than twenty-eight (28) consecutive calendar days' annual leave with full salary each and every fiscal year. Provided further that any active member of said department hired on or before December 31, 1984, who shall have served for more than twenty (20) years shall be entitled to seven (7) additional consecutive calendar days' annual leave to be added to his regular annual leave. The time for such annual leave shall be subject to the approval of the Chief of the police force.

(b) Each active member of the Indianapolis Police Department hired after December 31, 1984, shall receive hereafter not less than fourteen (14) consecutive calendar days' annual leave with full salary each and every fiscal year. Provided that hereafter any active member of said police department hired after December 31, 1984 who shall have served seven (7) continuous years but less than fifteen (15) continuous years on said department shall receive not less than twenty-one (21) consecutive calendar days' annual leave with full salary each and every fiscal year. Provided further that any active member of said department hired after December 31, 1984, who shall have served fifteen (15) or more continuous years on said department shall receive not

less than twenty-eight (28) consecutive calendar days' annual leave. The time for such annual leave shall be subject to the approval of the Chief of the police force.

SECTION 3. Part I of Appendix B of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by adding a new Section 4 to read as follows:

Sec. 4. Sick leave.

(a) Any active member of the police department hired on or before December 31, 1984, who is unable to perform the duties of his employment by reason of sickness, accident or injury, is entitled to not less than ninety (90) days sick leave with full pay or for the period of such incapacity, should said period be less than ninety (90) days. However, any active member of said department not requiring sick leave during any calendar year shall receive three (3) days compensatory leave with full pay in addition to any vacation provided for herein provided officers utilizing sick leave for on-duty accident or injury shall not be disqualified for perfect attendance days. This figure may be arrived at by computing each of three (3) four-month periods separately during the year, and awarding one day of compensatory leave for each four-month period in which an active member of the department requires no sick leave. Compensatory leave days earned under this section must be used within twelve (12) months of the date on which they were earned, and they must not be accumulated beyond such twelve-month period.

(b) Any active member of the Indianapolis Police Department hired after December 31, 1984 shall receive sick leave as follows:

1. "On-duty injury." Any active member of the Indianapolis Police Department hired after December 31, 1984 who is unable to perform the duties of his/her employment by reason of sickness, accident or injury incurred in the line of duty as certified by the Police and Fire medical clinic as provided by contract with the Department of Public Safety, or another medical doctor approved by the Department, shall be entitled to sick leave with full pay for the period of such incapacity; however, such sick leave period shall not exceed ninety (90) consecutive calendar days.

2. "Non-duty injury."

(i) "Definitions."

(a) "Sick leave" shall mean time off granted a police officer whose illness, accident, injury or disability prevents him/her from performing duties directed by the Department. Sick leave is intended to provide relief from loss of pay in cases of absence from work due to established incapacity to perform assigned duties, as defined and directed by the Department, but is not to be regarded as an optional leave right.

(b) "Reasonable evidence" shall mean a certificate from a medical doctor licensed to practice medicine and employed by the Police and Fire medical clinic or another medical doctor approved by the department that the subject police officer is incapable of performing assigned duties as defined and directed by the Department. Before granting or continuing sick leave with pay, the Department may require evidence that the employee is actually sick or disabled.

(ii) "Accrual."

(a) Upon commencement of employment, police officers shall have a bank of ninety-six (96) hours of sick leave for non-duty illness, accidents or injuries. Upon completion of one year of employment, police officers shall accrue sick leave at the rate of eight (8) hours per month, ninety-six (96) hours per year.

- (b) Those police officers who are starting to work on or before the 15th day of the month shall have their account credited with a full month's accrual of sick time on the first day of the month following the month in which they were hired.
 - (c) Those police officers who are starting to work on or after the 16th day of the month shall have their account credited with a full month's accrual of sick time on the first day of the second month after they were hired.
 - (d) The police officer must work a month before any time can be credited to his/her account.
 - (e) Sick leave time will only accrue if a police officer works or is paid for more than one-half (1/2) the month, provided however, no police officer shall continue to accrue sick leave or other fringe benefits while receiving pension disability payments.
- (iii) "Unearned leave." Sick leave cannot be used prior to accrual and cannot be earned while on any leave without pay status.
- (iv) "Justification." The burden of proof rests with the police officer to convince the Department that sick leave is justifiable. The Department may require a medical certificate or other evidence of illness as requested. Sick leave is only to be used for a personal doctor's appointment and/or personal illness.
- (v) "Sick leave abuses." In the case of sick leave abuse, the Department may designate such leave as vacation leave, leave without pay, or as grounds for disciplinary action, including dismissal.
- (vi) "Separation from employment." Accrued sick leave will not be paid upon termination, except as follows: Upon separation from employment by reason of death, or retirement under circumstances such that the employee would be eligible for retirement benefits under State law, or in the event of a lay-off, if such lay-off was anticipated to last longer than six (6) months, an employee will be entitled to compensation for accrued accumulated sick leave at one-half (1/2) his or her regular daily rate of compensation.
- (vii) "Charging sick leave." Sick leave may only be taken in eight (8) hour increments.
- (viii) "Carryover." Accrued sick leave may be carried over from year to year.
- (ix) "Accrual of other paid leave." Vacation days shall accrue to police officers while on paid sick leave.
- (c) "Compliance with departmental policy." All sick leaves related to non-duty sicknesses, accidents and injuries must comply with Departmental rules, regulations, orders and standard operating procedures.

SECTION 4. Part III of Appendix B of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by inserting the language underscored and deleting the language crosshatched to read as follows:

Sec. 6. Classification of ranks.

There is hereby created the following classification of ranks within the force and the minimum compensation to be paid annually to the respective ranks:

Probationary patrolman:	\$ 6,000.00
Patrolman:	\$ 6,600.00
Sergeant:	\$ 7,300.00
Lieutenant:	\$ 8,000.00
Captain:	\$ 9,000.00
Major:	\$10,000.00

Except as otherwise provided by law, the chief, with the approval of the director, shall establish a scale of compensation for the various grades of officers in the force. The compensation so fixed shall be based on the rank held by the officer of the force as shall be determined under the merit system of this appendix, the length of service of the officer in each rank, and the special technical competence of job assignment of the officer. The scale of compensation shall be required to apply uniformly to all officers similarly situated with respect to rank, length of service in rank, and special technical competence and job assignment.

Except as otherwise provided in this appendix, all appointments to said ranks shall be permanent.

Sec. 8. Merit promotion system.

There shall be established a consolidated city police merit promotion system which shall be administered by the merit board. All promotions of members of the force shall be made in conformity with the promotion procedure established by this appendix, except in the case of the appointment of the chief by the director of public safety, and of the appointment of deputy chiefs, and of the appointment of majors by the chief.

Sec. 10. Requirements for promotion.

No member of the force shall be eligible for promotion to the next highest rank unless said member has spent the following minimum time in the rank held at the time he is considered for promotion: Five (5) years in rank of patrolman for promotion to sergeant, except that the merit board may waive up to three (3) years on the basis of the member's college or other equivalent educational experience; two (2) years in rank of sergeant for promotion to lieutenant; two (2) years in rank of lieutenant for promotion to captain. ~~After the expiration of the minimum time in the rank held at the time he is considered for promotion, a member shall only be promoted to the next highest rank.~~

Within the limits of this appendix, the chief, with the approval of the merit board, shall set standards in conformity with the most widely approved standards of comparable police departments, and shall establish reasonable prerequisites of training, education and experience for each rank, grade and position in the department.

Sec. 11. Procedures for promotion.

Any member who shall have fulfilled the time and rank requirement set by this appendix for promotion to the next highest rank shall be deemed eligible to compete for the next highest rank in conformity with the procedure established by the chief with the approval of the merit board which shall include:

- (1) A written examination with a minimum passing score, the results of which shall be sealed and placed in a safe or other secure place and not made available to the captain's board.
- (2) For promotion to sergeant or lieutenant, an interview with a captain's board consisting of one captain from each division of the force. The selection of an interview board of captains shall be by lot by the officer determined in the same

manner as the selecting officer is chosen to draw the names of the officers to serve on the disciplinary boards. The drawing of names shall be from a list of eligible captains to be drawn no earlier than seventy-two (72) hours prior to the beginning of interviews. Whenever possible, eligible officers from the same grade seeking promotion to the same higher grade should be interviewed by the same interview board.

- (3) For promotion from lieutenant to captain, an interview with a board consisting of three (3) majors appointed by the merit board from a list of majors furnished by the chief.

The interview score shall be based on the interview and on previous evaluations contained in the candidates' file. The scores on the written examination and the interview shall be combined by the chairman of the personnel section with the written exam contributing not less than fifty (50) percent of the total combined score. All candidates shall be ranked on promotion lists for the respective ranks commencing with the highest total promotion score.

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

There being no further business, the Police Special Service District Council adjourned at 8:24 p.m.

President SerVaas reconvened the meeting of the City-County Council at 8:24 p.m.

Councillor Miller requested a seven minutes recess. President SerVaas recessed the meeting of the City-County Council at 8:25 p.m.

President SerVaas reconvened the meeting of the City-County Council at 8:46 p.m.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 1, 1985. This proposal approves certain projects for funding from Community Development Grant Funds. Councillor Borst reported that the Metropolitan Development Committee held a special meeting on January 3, 1985, and approved the list of organizations presented to the Council tonight. The Committee voted 5-0 to recommend Proposal No. 1, 1985, Do Pass. Councillor Gilmer moved, seconded by Councillor Giffin, to send Proposal No. 1, 1985, back to Committee for further consideration. The motion passed by a voice vote.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business and upon motion duly made and seconded, the meeting of the City-County Council adjourned at 9:04 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 7th day of January, 1985.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.


President


Clerk of the City-County Council

ATTEST:

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND SPECIAL SERVICE DISTRICT COUNCILS
OF INDIANAPOLIS, MARION COUNTY, INDIANA**

REGULAR MEETINGS - MONDAY, JANUARY 28, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:02 p.m., on Monday, January 28, 1985, with Councillor SerVaas presiding.

The meeting was opened with a prayer and the Pledge of Allegiance to the Flag by Councillor William G. Schneider.

ROLL CALL

Councillor SerVaas instructed the Clerk to take the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

ABSENT: Curry

Twenty-eight members being present, he announced a quorum was present.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Clark introduced the hundreds of citizens in attendance to discuss with the Council their feelings concerning a new landfill in Marion County.

**PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS,
AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 44, 1985. This proposal is in memory of Elmo G. Coney. Councillor Cottingham, a sponsor, read the resolution and was joined by

Councillors Strader and Journey in presenting it to his wife Mattie. Councillor Cottingham moved, seconded by Councillor Howard, for adoption. Proposal No. 44, 1985, was adopted by unanimous voice vote and was retitled SPECIAL RESOLUTION NO. 3, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 3, 1985

A SPECIAL RESOLUTION in memory of Elmo G. Coney.

WHEREAS, Elmo G. Coney passed away Thursday, December 27, 1984; and

WHEREAS, with his wife Mattie he helped establish and direct Citizens Forum, Inc. to encourage neighborhood residents and government agencies to work cooperatively for city improvement; and

WHEREAS, through Mr. Coney's efforts many self-help projects were initiated that drew national attention such as the Helping Hand program, citizens block clubs, clean-up drives, tree planting projects, rat extermination programs, "Adopt A Park" project, and many other innovative neighborhood revitalization programs; and

WHEREAS, Elmo G. Coney dedicated his life to helping his friends, neighbors and community; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council extends its deepest sympathy to Mattie Coney for her loss.

SECTION 2. The City-County Council memorializes Elmo G. Coney for his outstanding service to the community and in appreciation for the benefits which he brought to all men.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

[Clerk's Note: Due to the great number of citizens present from Warren, Franklin and Decatur Townships to hear a response from the Council concerning the proposed landfill, Dr. SerVaas allowed the following speakers to testify before the Council.]

LANDFILL DISCUSSION

Councillor Clark requested consent from the Council to suspend the rules for the introduction of Proposal No. 54, 1985, which is a resolution concerning the siting of a landfill in Marion County, Indiana and to refer Proposal No. 54, to the Public Works Committee. The following roll call vote granted unanimous consent:

28 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

1 NOT VOTING: *Curry*

President SerVaas explained that three citizens would be allowed to speak for a total of twenty minutes and then the Mayor would be allowed to speak for twenty minutes.

Mr. Wayne Riggs of the Southeast Civic Association of Warren Township, referred to a letter which had been written by their attorney, Mr. Eric I. Miller, in which he had requested from Mrs. Barbara Gole, Director of the Department of Public Works, several pieces of information concerning the siting of a new landfill in Marion County. As of this date, this information has not been received and Mr. Riggs stressed the fact that this is public information and should be given to them.

Mr. Mike Mahoney, Vice President of the Franklin Township Civic League, told the Council that the concerned citizens of Warren and Franklin Townships had hired their own outside consultant to help them in this matter and he introduced Mr. William Held with the Midwest Regional Office of SCS Engineers.

Mr. William Held briefly pointed out to the Council that their preliminary findings and conclusions are the result of a short-term intensive evaluation of readily available information from the Department of Public Works. The professionals involved in this study include three other solid waste engineers and a hydro-geologist familiar with Marion County. The primary basis for the proposed waste-to-energy scheme is a report prepared by Metcalf and Eddy, Inc. in 1979. The preliminary review of this report indicates that Metcalf and Eddy were not provided sufficiently accurate estimates on solid waste generation in Marion County. In 1981, Metcalf and Eddy recommended a waste generation study be instituted to correct this data. There are three findings which have evolved in reviewing the Metcalf and Eddy Report: 1) substantial changes in conditions have occurred since the completion of the report in 1981; and 2) the report was prepared based on a number of assumptions which should be reconsidered; and 3) EPA rules and regulations have not yet been instituted and any evaluation should take these into account.

The Department of Public Works has been working since 1975 on the following two assumptions: 1) All the non-hazardous solid waste in Marion County must be disposed at a single facility; and 2) Adequate landfill capacity will not be available for the long term. These two assumptions limit solid waste disposal alternatives to two proven technologies: landfill and mass-burn waterwall.

The Department of Public Works has cited the lack of adequate landfill capacity beyond 3 to 5 years as a crisis situation requiring an immediate implementation of its proposed waste-to-energy scheme. SCS Engineering has contacted existing landfills in and around Marion County and disagrees with the Department's conclusion. Sufficient landfill capacity is available to provide for the disposal of all the waste generated in Marion County for the next 10 to 15 years. The proposed DPW scheme does not include all the essential elements for an efficient and effective solid waste management system and falls far short of the evaluation necessary to justify the investment of 500 million dollars.

Mr. Mike Mahoney then closed the presentation by inviting the Council members to a meeting at the Downtown Howard Johnson's Hotel on February 13, 1985 at 7:00 p.m.

Mayor William H. Hudnut, III, stated his support for the introduction and referral to committee of the resolution in question. He sympathizes and wants to do what is best for the people of Marion County. The City of Indianapolis has a long-range problem that must be handled and that is that we are producing 2,000 tons per day of trash and 600 tons per day of sludge. The administration and the responsive elected officials of these affected townships are concerned and looking at all the options thoroughly in a cooperative attitude to do what is best for the people. If it is at all possible a landfill will not be sited in a residential area of Marion County.

President SerVaas recessed the meeting of the City-County Council at 7:45 p.m. to allow visitors to leave the Public Assembly Room in an orderly fashion. The meeting was reconvened at 7:55 p.m.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE,
FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT
COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,
INDIANA:

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, January 28, 1985, at 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

s/Beurt SerVaas, President
City-County Council

January 16, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on January 17, 1985, a copy of LEGAL NOTICE of P.S.S.D. General Ordinance No. 1, 1985, General Resolution No. 1, 1985 and F.S.S.D. General Ordinance No. 1, 1985.

Respectfully,

s/Beverly S. Rippy
City Clerk

January 18, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on January 22, 1985, a copy of LEGAL NOTICE of General Ordinance No. 77, 1984.

Respectfully,

s/Beverly S. Rippy
City Clerk

January 14, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippey, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 1, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Four Hundred Four Thousand Two Hundred Eighty-four Dollars (\$404,284) in the County General Fund for purposes of the Superior Court, Criminal and Juvenile Divisions and reducing certain other appropriations for these divisions and the Marion County Auditor.

FISCAL ORDINANCE NO. 2, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating One Hundred Thirty-six Thousand Four Hundred Twenty Dollars (\$136,420) in the County General Fund for purposes of the Marion County Sheriff and reducing certain other appropriations for that division.

GENERAL ORDINANCE NO. 1, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted.

GENERAL ORDINANCE NO. 2, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 3, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 4, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 5, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets and Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

GENERAL ORDINANCE NO. 6, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-136, Alteration of prima facie speed limits.

SPECIAL ORDINANCE NO. 1, 1985, authorizing the issuance and sale of one or more series of revenue bonds in the aggregate principal amount not to exceed Forty-eight Million Dollars (\$48,000,000) and the loaning of the proceeds derived therefrom to Symphony Tower, and Indiana Limited Partnership to finance the costs of construction of an economic development facility.

GENERAL RESOLUTION NO. 1, 1985, increasing the maximum monthly pension payable to members of the Marion County Sheriff's Department in accordance with I.C. 36-8-10-12.

SPECIAL RESOLUTION NO. 1, 1985, memorializing Sumner A. Mills.

SPECIAL RESOLUTION NO. 2, 1985, postponing the effective date of certain regulations promulgated by the City Controller with respect to certain street vendors.

Respectfully submitted,

s/William H. Hudnut, III

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
POLICE SPECIAL SERVICE DISTRICT COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the Police Special Service District Council, Mrs. Beverly S. Rippy, the following ordinance:

GENERAL ORDINANCE NO. 1, 1985, concerning leave for members of the Indianapolis Police Department.

Respectfully submitted,

s/William H. Hudnut, III

ADOPTION OF THE AGENDA

Consent was given for the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of January 28, 1985.

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections for the Journals of October 22, 1984, November 8, 1984 and November 19, 1984. There being no additions or corrections, the minutes were approved as distributed.

**PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS,
AND COUNCIL
RESOLUTIONS --**

PROPOSAL NO. 42, 1985. This proposal appoints Dorothy McCormick to the Speedway Library Board. Councillor SerVaas indicated that there was some legal disagreement as to the Council's appointment powers to this Board. But those have been resolved and Ms. McCormick has agreed to serve. Councillors Holmes and Bradley stated their approval of this appointment. Councillor Holmes moved, seconded by Councillor Bradley for adoption. Proposal No. 42, 1985, was adopted by unanimous voice vote and retitled **COUNCIL RESOLUTION NO. 4, 1985**, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 4, 1985

A COUNCIL RESOLUTION appointing Dorothy McCormick to the Speedway Library Board.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. As a member of the Town of Speedway Library Board, the Council appoints:

DOROTHY MCCORMICK

SECTION 2. The foregoing appointee shall serve for a period of four (4) years ending October 25, 1988, at the pleasure of the Council and until her successor is duly appointed and qualified.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 43, 1985. This proposal reappoints Dwight Schuster and Beverly Mukes-Gaither to the Public Safety Board. Councillor Miller explained that these appointments had served the previous year and wished to be reappointed. Councillor Miller moved, seconded by Councillor Howard, to adoption. Proposal No. 43, 1985, was adopted by unanimous voice vote and retitled **COUNCIL RESOLUTION NO. 5, 1985**, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 5, 1985

A COUNCIL RESOLUTION appointing members to the Public Safety Board.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. As members of the Public Safety Board, the Council appoints:

DWIGHT SCHUSTER BEVERLY MUKES-GAITHER

SECTION 2. The foregoing appointments shall each be for terms of one (1) year beginning upon passage of this proposal, at the pleasure of the Council, and until their respective successors are appointed.

PROPOSAL NO. 45, 1985. This proposal is in memory of Mary Lindsay. Councillor Strader stated that the Council had already recognized Ms. Lindsay with a moment of silence and extended their sympathy to the family and friends of Ms. Lindsay. Councillor Strader moved, seconded by Councillor Boyd for adoption. Proposal No. 45, 1985, was adopted by unanimous voice vote and retitled **SPECIAL RESOLUTION NO. 4, 1985**, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 4, 1985

A SPECIAL RESOLUTION memorializing Mary Lindsay.

WHEREAS, Mary Lindsay passed away Thursday, January 3, 1985; and

WHEREAS, Mary Lindsay supported and served the people of Indianapolis, Indiana through her many community volunteer efforts; and

WHEREAS, Ms. Lindsay served as President of the Parent Teacher's Association of Public School 112, President of Broken Burr Trails Apartment Complex, and a neighborhood Precinct Committeewoman for many years; and

WHEREAS, Mary Lindsay was a member of the Board of Directors of the Methodist Badge and Health Clinic and a board member of Circle Youth Works; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis-Marion County City-County Council conveys its condolences to the family of Mary Lindsay.

SECTION 2. The City-County Council expresses its gratitude for Ms. Lindsay's commitment and service to her community and city.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 53, 1985. This proposal approves the report of the Joint Committees concerning Public Housing. Councillor Stewart stated that several public hearings and tours had been conducted of some of the Public Housing in Indianapolis. The report of the joint committee of the Community Affairs and the Metropolitan Development Committees will be submitted to the Mayor for his concurrence and implementation. Councillor Stewart moved, seconded by Councillor Journey for adoption. Proposal No. 53, 1985, was adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 6, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 6, 1985

A COUNCIL RESOLUTION on the report of the Community Affairs and Metropolitan Development Joint Committee regarding Public Housing in Indianapolis.

WHEREAS, a Special Task Force was established by the Indianapolis-Marion County City-County Council to study the current status and conditions of Public Housing in Indianapolis; and

WHEREAS, the Mayor of the City of Indianapolis has addressed the City-County Council to express his concerns on Public Housing in Indianapolis; and

WHEREAS, the current system of governance of Public Housing in Indianapolis does not appear adequate to address the current needs; and

WHEREAS, special meetings of the Community Affairs and Metropolitan Development Joint Committees convened numerous times over the past year to hear hours of testimony concerning ways and means to improve Public Housing in Indianapolis; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Joint Committee Report of the Community Affairs and Metropolitan Development Committees is hereby submitted with the recommendation that the same be approved by the full City-County Council and forwarded to the Mayor of Indianapolis for his concurrence and implementation.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

"Report on the Joint Committee on Public Housing"

The City-County Council Joint Committee on Public Housing, composed of members of the Community Affairs and Metropolitan Development Committees, has recently completed its study of public housing in Indianapolis. During the course of this year-long study, the Joint Committee has received volumes of information from a variety of sources, and has been greatly aided in its task by numerous community groups and public officials. The Joint Committee has reviewed the report of the Task Force on Public Housing, including the conclusions and recommendations made by the members of that task force. The Joint Committee has also held a series of public hearings, and has received testimony from Housing Authority officials, representatives from the Department of Housing and Urban Development, various community agencies and residents of the various public housing projects in Indianapolis. The Joint Committee has also received recommendations from Mayor Hudnut, and has received advice and information from Administration officials and from the general public.

The Joint Committee now makes the following recommendations:

A. Management and Operations

1. Public housing should be placed directly under City Administration, and management authority should be transferred to a Unigov department, namely the Department of Metropolitan Development.
2. The current Indianapolis Housing Authority operations should be restructured to emphasize three management priorities. These three areas are:
 - (a) multi-family and elderly residence management
 - (b) multi-family and elderly residence maintenance
 - (c) public, government, tenant relations

Each of these three areas should be directed by a professional in the field, preferably someone with significant "hands-on" experience in each of these areas.

3. The Board of Commissioners of the Indianapolis Housing Authority should be eliminated in its present form. The City-County Council will have legislative oversight of budgetary and other legislative requirements for public housing utilizing the Council committee system of the Unigov department to which public housing is transferred (Metropolitan Development).

4. The Mayor and the Council should appoint a public housing policy board which will provide advice and counsel to the director of the Housing Authority and City-County Council concerning such areas as public housing programs, tenant and community relations, resident management, and maintenance, etc.
5. The executive director for public housing, appointed by the Mayor, should be confirmed and reconfirmed annually by the City-County Council to emphasize the Council's continued commitment to public housing.
6. Tenant organizations, broadly representative and duly elected, should be given certain authority and responsibility for the following:
 - (a) Assist in the development of criteria for tenant selection, and in the actual process of tenant selection.
 - (b) Recommend solutions to problems caused by tenants whose conduct threatens the quality of life in the community, or whose acts endanger the welfare and safety of other residents, or who deface or devalue public property.
 - (c) Recommend changes in administrative policy to the public housing policy board.
7. Innovative concepts in public housing management should be attempted in model experiments, including:
 - (a) Private management
 - (b) Cooperative or tenant management, in whole or in part
 - (c) Social, recreational, educational, public health, and employment training opportunities to enhance the quality of life in these communities. There should be utilization of existing organizations such as multi-service centers, community service council, County Welfare Department, township trustees, Parks Department, 4-H Extension Agency, public schools, Health and Hospital Corporation (Public Health Division), neighborhood health centers, employment agencies, and the PAL Club.
8. An emphasis on local government services from the City Departments of Transportation, Public Works, Public Safety, Parks, Metropolitan Development and also municipal corporations such as the Indianapolis Public Transportation (METRO) and Health and Hospital Corporation.
9. The local H.U.D. officials are asked to work with management of the Indianapolis Housing Authority in giving management advice and continuing updates regarding constantly changing H.U.D. regulations.

B. Renovation and Rehabilitation

Our community, like many in our country has in the past been dismayed and shocked by acts of vandalism which have destroyed large numbers of individual dwelling units and community property in public housing projects.

While the causes of this vandalism have not been completely contained or eliminated, the Council feels that there is reason to believe that the worst is behind us and that under the new plan for public housing administration, safeguards and vigilance will provide the necessary cooperation and security to warrant an investment in restoring the unliveable quarters to acceptable living standards.

The Council has reason to believe that adequate rehabilitation of existing vacant and substandard public housing could be accomplished within two (2) years for approximately \$7,500,000. If possible, tenant labor should be encouraged. The

Council has been assured by H.U.D. that requisite funds would be available to assist in this endeavor of tenant labor if the City Administration and the Council are in accord and committed to effect the changes recommended above.

H.U.D. funds, in addition to monies available from Community Development Block Grants, should finance the bulk of the rehabilitation. Additional funds may be necessary, but City-County Council reserves judgment as to the amount or the necessity.

Good, "hard-nosed" management by compassionate administrators is the key to the turnaround in public housing. Efficiency, coupled with compassion, are not automatically self-exclusive terms, but management is an exclusive term. Without effective management the best of plans go awry. And, public housing is no exception to this inexorable axiom in human affairs.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 23, 1985. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the issuance of \$6,000,000 Economic Development Refunding Revenue Bonds for Yellow Freight System, Inc. (refunds previously issued Series 1982 Revenue Bonds)"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 30, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning the Mayor's authority to appoint a designee to serve on the pension board"; and the President referred it to the Administration Committee.

PROPOSAL NO. 31, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$122,491 for the Marion County Healthcare Center to change the pharmacy and occupational therapy functions from personal services to a contractual agreement"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 32, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$500,000 for the Marion County Auditor from the Cumulative Building Fund for renovation of the Juvenile Center"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 33, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE changing the personnel compensation schedule of Superior Court - Civil Division - Room 1"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 34, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating

\$274,503 for the Community Corrections Advisory Board to fund the program for the first six months of 1985"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 35, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE changing the personnel compensation schedule of Superior Court - Juvenile Division"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 36, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$58,794 for the Marion County Prosecutor these are remaining funds from Deterrence of DWI's and the Division Program Revenues"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 37, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$342,270 for the Marion County Prosecutor for three continuing grants in 1985"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 38, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$292,822 for the Marion County Prosecutor to fund the Alternative Challenge Program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 39, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE increases the fee of the Municipal Court Alcohol and Drug Services Program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 40, 1985. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing the procedure for review of the county option income tax, local homestead credits and cumulative development funds and allocations of revenues for the budgeting process"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 41, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing a loading zone on a portion of Market Street"; and the President referred it to the Transportation Committee.

[Clerk's Note: Consent was given earlier in the meeting for the introduction of Proposal No. 54, 1985, concerning the siting of a landfill in Marion County, Indiana.]"

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 24, 1985. This proposal is a special ordinance amending and supplementing Special Ordinance No. 70, 1984, and authorizing the issuance of \$8,500,000 Economic Development Revenue Bonds for 123 South Illinois Associates, an Indiana limited partnership. Councillor Schneider explained that the project was for the acquisition, renovation, and equipping of the Canterbury Hotel located at 123 South Illinois. Special Ordinance No. 70, 1984, authorized the issuance of \$8,500,000 Economic Development Revenue Bonds all of which were term bonds although some were subject to earlier mandatory redemption by random lot through a sinking fund. Proposal No. 24, 1985, authorizes serial bonds totalling \$1,015,000 which will mature February 1 of each year (1986 through 1995) leaving \$7,485,000 of term bonds maturing February 1, 2015, with a mandatory sinking fund. Proposal No. 24 will also authorize documents to be dated February 1, 1985, instead of December 1, 1984, as provided in Special Ordinance No. 70, 1984. The Economic Development Committee on January 23, 1985, recommended Proposal No. 24, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 24, 1985, was adopted on the following roll call vote; viz:

26 Ayes: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

3 NOT VOTING: *Curry, Dowden, Giffin*

Proposal No. 24, 1985, was retitled SPECIAL ORDINANCE NO. 2, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 2, 1985

A SPECIAL ORDINANCE amending and supplementing City-County Special Resolution No. 70, 1984, and authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (123 S. Illinois Associates Project)" in the aggregate principal amount of Eight Million Five Hundred Thousand Dollars (\$8,500,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for 123 S. Illinois Associates and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, this City-County Council on December 10, 1984 adopted City-County Special Ordinance No. 70, 1984 authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (123 S. Illinois Associates Project)" in the principal amount of Eight Million Five Hundred Thousand Dollars (\$8,500,000) and approving and authorizing other actions in respect thereto; and

WHEREAS, the authorized Bonds have not been executed or delivered and the Company has requested certain modifications to the proposed financing terms including a later maturity date and the proposed purchaser of the Bonds have consented to the proposed changes; and

WHEREAS, new financing documents have been prepared reflecting the proposed changes; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 5, 1984, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by 123 S. Illinois Associates, an Indiana limited partnership with C & I Associates as general partner (the "Company") consisting of the acquisition, renovation, installation and equipping of the existing vacant 13 story Warren Hotel containing approximately 68,322 square feet for use as a hotel containing 114 guest rooms, a restaurant, lounge, health club and meeting rooms and the machinery and equipment to be located therein plus certain site improvements to be located at 123 South Illinois Street, Indianapolis, Indiana, on approximately 6,478 square feet of land (the "Project") which will be initially owned and operated by 123 S. Illinois Associates, an Indiana limited partnership with C & I Associates as general partner complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens and on January 23, 1985 the Indianapolis Economic Development Commission found that the amendments to the previously approved form of financing comply with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Bond Purchase Agreement, Loan Agreement, Indenture of Trust, Loan Purchase Agreement, Collateral Agreement, Reimbursement Agreement, Promissory Note, Mortgage and Assignment from 123 S. Illinois Associates to the City of Indianapolis, Indiana, Mortgage from 123 S. Illinois Associates to Community Savings & Loan, Inc., Indexing Agent's Agreement, Remarketing Agreement, Offering Circular and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (123 S. Illinois Associates Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement consisting of the acquisition, renovation, installation and equipping of the existing vacant 13 story Warren Hotel containing approximately 68,322 square feet for use as a hotel containing 114 guest rooms, a restaurant, lounge, health club and meeting rooms and the machinery and equipment to be located therein plus certain site improvements to be located at 123 South Illinois Street, Indianapolis, Indiana, on approximately 6,478 square feet of land previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to 123 S. Illinois Associates for the purposes of financing the economic development facilities being acquired, renovated, installed and equipped or to be acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by 123 S. Illinois Associates will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Bond Purchase Agreement, Loan Agreement, Indenture of Trust, Loan Purchase Agreement, Collateral Agreement, Reimbursement Agreement, Promissory Note, Mortgage and Assignment from 123 S. Illinois Associates to the City of Indianapolis, Indiana, Mortgage from 123 S. Illinois Associates to Community Savings & Loan, Inc., Indexing Agent's Agreement, Remarketing Agreement, offering Circular and the form of the City of Indianapolis Economic Development Revenue Bonds (123 S. Illinois Associates Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Bond Purchase Agreement, Loan Agreement, Indenture of Trust, Loan Purchase Agreement, Collateral Agreement, Reimbursement Agreement, Promissory Note, Mortgage and Assignment from 123 S. Illinois Associates to the City of Indianapolis, Indiana, Mortgage from 123 S. Illinois Associates to Community Savings & Loan, Inc., Indexing Agent's Agreement, Remarketing Agreement, Offering Circular and the form of the City of Indianapolis Economic Development Revenue Bonds (123 S. Illinois Associates Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds (123 S. Illinois Associates Project) in the aggregate principal amount of Eight Million Five Hundred Thousand Dollars (\$8,500,000) for the purpose of procuring funds to loan to 123 S. Illinois Associates in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by 123 S. Illinois Associates on its Promissory Note in the aggregate principal amount of Eight Million Five Hundred Thousand Dollars (\$8,500,000), which will be executed and delivered by 123 S. Illinois Associates to evidence and secure said loan, and as otherwise provided in the above described Loan Agreement, Mortgage and Assignment from 123 S. Illinois Associates to the City of Indianapolis, Indiana, Mortgage from 123 S. Illinois Associates to Community Savings & Loan, Inc., Indenture of Trust, Loan Purchase Agreement, Collateral Agreement and Reimbursement Agreement. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price not less than 95% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Indenture of Trust provide, however, the interest rate on the Bonds shall in no event exceed 30% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Bond Purchase Agreement, Loan Agreement, Mortgage, Indenture of Trust, Mortgage and Assignment from 123 S. Illinois Associates to the City of Indianapolis, Indiana, Indexing Agent's Agreement, Offering Circular, the City of Indianapolis, Indiana Economic Development Revenue Bonds (123 S. Illinois Associates Project), and the Endorsement to the Promissory Note approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Bond Purchase Agreement. The Mayor and City Clerk may by their execution of the Loan Agreement, Mortgage and Assignment from 123 S. Illinois Associates to the City of Indianapolis, Indiana, Indexing Agent's Agreement, Offering Circular, Indenture of Trust, the Endorsement to Promissory Note and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the Promissory Note, Loan Purchase Agreement, Collateral

Agreement, Reimbursement Agreement, Mortgage from 123 S. Illinois Associates to Community Savings & Loan, Inc. and Remarketing Agreement without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Bond Purchase Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds (123 S. Illinois Associates Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 25, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to interim (construction) financing for Mark III Development Group, an Indiana limited partnership, in approximate amount of \$8,575,000. General partners in the project are Charles A. Pechette, James J. Curtis and James B. Capehart. Councillor Schneider described the project as the construction of a multi-family residential rental housing garden apartments consisting of 224 units on twenty-five acres of land located at 91st Street and Masters Road. There will be 80 one-bedroom apartments, 24 one-bedroom apartments including den, and 125 two-bedroom apartments (rental range of \$450-475 per month). Estimated costs for the \$8,575,000 project are as follows: \$700,000 land, \$6,500,000 building, \$400,000 finance fees and construction interest, \$275,000 architectural and engineering design costs, \$200,000 other contingencies, and \$500,000 debt service reserve. The construction payroll for this project is estimated at \$3.5 million. Upon completion of the project, the estimated number of additional employment positions at the end of one year total approximately six full-time positions and fifteen to twenty part-time jobs with \$91,000 (full-time) and \$75,000 (part-time) in additional payroll to the community. The Economic Development Committee on January 23, 1985, recommended Proposal No. 25, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 25, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Curry, Dowden

Proposal No. 25, 1985, was retitled SPECIAL RESOLUTION NO. 5, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 5, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Mark III Development Group, an Indiana Limited Partnership (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to provide interim (construction) financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of approximately 224 units of multifamily residential rental housing and the machinery and equipment to be installed therein plus certain site improvements to be located at 91st Street and Masters Road on approximately 25 acres of land, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 6 full-time and approximately 15-20 part-time at the end of one year and 6 full-time and approximately 15-20 part-time at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the interim (construction) financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Eight Million Five Hundred Seventy-five Thousand Dollars (\$8,575,000) under the Act to be privately placed to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Mark III Development Group, an Indiana Limited Partnership (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid interim (construction) financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires August 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 26, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Forum Group, Inc. and/or Oxford Development Corporation and/or their designee in an approximate amount of \$4,172,000. Councillor Schneider explained the project as the construction of a seventy-five bed nursing facility on 5.5 acres as part of the retirement living center for the elderly. Nursing services are projected as follows: 40% skilled nursing care; 40% intermediate nursing care, and 20% personal care. The building will contain approximately 30,000 square feet. Estimated costs for the \$4,172,000 project are as follows: \$200,000 land, \$2,765,000 building, \$684,000 equipment, and \$523,000 other contingencies. Construction should begin in May of 1985 with a completion date of March, 1986. The estimated number of additional employment positions at the end of one year total thirty-seven positions with \$350,000 in additional payroll to the community. The three-year employment estimate is fifty-five jobs with \$595,000

in additional payroll. The Economic Development Committee on January 23, 1985, recommended Proposal No. 26, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 26, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

3 NOT VOTING: Curry, Dowden, Durnil

Proposal No. 26, 1985, was retitled SPECIAL RESOLUTION NO. 6, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 6, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Forum Group, Inc. and/or Oxford Development Corporation and/or their designee (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a building containing approximately 30,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 2215 East 86th Street, Indianapolis, Indiana on approximately 5.5 acres of land which will be used for a nursing care facility containing approximately 15 personal care beds, 30 intermediate nursing care beds and 30 skilled nursing care beds as part of a retirement living center (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 37 at the end of one year and 55 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Four Million One Hundred Seventy-two Thousand Dollars (\$4,172,000) under the Act to have credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Forum Group, Inc. and/or Oxford Development Corporation and/or their designee (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires August 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 27, 1985. This is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Forum Group, Inc. and/or Oxford Development Corporation and/or their designee in an approximate amount of \$12,760,500. Councillor Schneider stated the project as the construction of 120 multi-family residential rental units for the elderly. Rental rates for these short-term leases are expected to range from \$900 to \$2,000 per month, and this rate will include meals, housekeeping, laundry and linen services for all tenants. The tenants are also assured space in the nursing facility. The site is approximately six acres, and the building will contain about 125,000 square feet. Estimated costs for the \$12,760,500 project are as follows: \$220,000 land, \$8,965,000 building, \$1,480,500 equipment, and \$2,095,000 other contingencies. Construction should begin in May of 1985 with a completion date of March, 1986. The estimated number of additional employment positions at the end of one year total twenty-nine positions with \$375,000 in additional payroll to the community. The three-year employment estimate is forty-two jobs with \$580,000 in additional payroll. The Economic Development Committee on January 23, 1985, recommended Proposal No. 27, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Howard for adoption. Proposal No. 27, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

2 NOT VOTING: *Cottingham, Curry*

Proposal No. 27, 1985, was retitled SPECIAL RESOLUTION NO. 7, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 7, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Forum Group, Inc. and/or Oxford Development Corporation and/or their designee (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a building containing approximately 125,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 2215 East 86th Street, Indianapolis, Indiana on approximately 6 acres of land which will be used for approximately 120 multi-family residential rental units for retirement living facilities (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 29 at the end of one year and 42 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Twelve Million Seven Hundred Sixty Thousand Five Hundred Dollars (\$12,760,500) to have credit enhancement under the Act for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Forum Group, Inc. and/or Oxford Development Corporation and/or their designee (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires August 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 28 and 29, 1985. Proposal No. 28, 1985, is a special ordinance designating the parcel of land commonly known as 3450 North Meridian Street as an economic development target area. Proposal No. 29, 1985, is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Community Blood Bank of Marion County, Inc. d/b/a Central Indiana Regional Blood Center in an approximate amount of \$1,300,000. Councillor Schneider described the project as the acquisition and renovation of an existing building located at 3450 North Meridian Street which will be used to provide all the blood service needs of thirteen hospitals in Marion County in addition to twenty-six hospitals in twenty-five counties in central Indiana. The company currently occupies space at 2859 N. Meridian Street. Estimated costs for the \$1,300,000 project are as follows: \$1,500,000 land and building, and \$150,000 for remodeling. Renovation should begin immediately with a completion date of July, 1985. The Company currently employs 330 persons with an annual payroll of \$4,518,737. The estimated number of additional employment positions at the end of one year total sixteen positions with \$158,155 in additional payroll to the community. The three-year employment estimate is forty-eight jobs with \$451,874 in additional payroll. The Economic Development Committee on January 23, 1985, recommended Proposal Nos. 28 and 29, 1985, Do Pass by a vote of 4-0-1. Councillor Schneider moved, seconded by Councillor Howard for adoption. Proposal No. 28, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

2 NOT VOTING: Cottingham, Curry

Proposal No. 28, 1985, was retitled SPECIAL ORDINANCE NO. 3, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 3, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-12 (as amended by P.L. 40-1983) limits the use of industrial development bonds for financing economic development facilities for retail trade, banking, credit agencies or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on facilities of the same kind operating in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 (as added by P.L. 40-1983) authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 25% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-12-2, as amended, (as added by P.L. 40-1983) indicates that an Economic Development Target Area means a geographic area that:

“(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been declared and confirmed as a redevelopment area before March 31, 1983; under:

- (A) I.C. 36-7-14-15, I.C. 36-7-14-16, and I.C. 36-7-14-17; or
- (B) I.C. 36-7-15.1-8, I.C. 36-7-15.1-9, and I.C. 36-7-15.1-10;

(3) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(4) encompasses buildings, structures, sites, or other facilities that are:

- (A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;
- (B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or
- (C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer.”; and

WHEREAS, at its meeting on January 23, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcel commonly known as 3450 North Meridian Street, Indianapolis, Indiana, as an Economic Development Target Area which parcel is more specifically described as:

A part of the South half of the Northwest quarter of Section 24, Township 16 North, Range 3 East, Marion County, Indiana, described by deed as follows, to-wit:

PARCEL I.

Beginning on the East line of Salem Street in the City of Indianapolis, at a point 394 feet North of the South line of said Half Quarter Section, running thence East parallel with the South line of said half quarter Section, 132 1/2 feet to a point; thence South parallel with the East line of Salem Street 50 feet to a point; thence West parallel with the South line of said Half Quarter Section 132 1/2 feet to the East line of Salem Street, thence North 50 feet to the place of beginning.

PARCEL II.

Beginning on the East line of Salem Street at a point 404 feet North of the South line of said Half Quarter Section, running thence North on the East line of Salem Street 50 feet to a point; thence East parallel with the South line of said Half Quarter Section 132 1/2 feet; thence South parallel with the East line of Salem Street 50 feet to a point; thence West parallel with the South line of said Half Quarter Section 132 1/2 feet to the East line of Salem Street, the place of beginning, except 15 feet off of the East end thereof.

PARCEL III.

Beginning on the East line of Salem Street, at a point 454 feet North of the South line of said Half Quarter Section, running thence North on the East line of Salem Street 100 feet to a point; thence East parallel with the South line of said Half Quarter Section 132 1/2 feet; thence South parallel with the East line of Salem Street, 100 feet to a point; thence West parallel with the South line of said Half Quarter Section 132 1/2 feet to the East line of Salem Street, to the place of beginning.

PARCEL IV.

Beginning on the West line of Meridian Street at a point 454 feet North of the South line and 625 feet East of the West line of said Half Quarter Section, and running West parallel to the South line of said Half Quarter 140 feet; thence North parallel to the West line of said Half Quarter 100 feet; thence East parallel to the South line of said Quarter 140 feet to the West line of Meridian Street; thence South with West line of said street 100 feet to the beginning.

Together with a ten (10) foot vacated alley lying North of and adjacent to Parcel I. And found by survey to be as follows, to-wit:

Beginning at a point on the East property line of Salem Street 344 feet North of the North property line of 34th Street, as said Salem Street and 34th Street were located and established in the City of Indianapolis on November 12, 1959, said North property line of 34th Street being also the South line of said Northwest Quarter; thence North on and along the East property line of Salem Street 210 feet to a point, said point being 119 feet South of the South property line of 35th Street, as said street was located and established in the City of Indianapolis on November 12, 1959; thence East and parallel to the North property line of 34th Street a distance of 272.63 feet (272.50 feet by deed) to a point in the West property line of North Meridian Street, as said street was located and established in the City of Indianapolis on November 12, 1959; thence South on and along the West property line of said Meridian Street a distance of 100 feet to a point, said point being 454 feet North of the South line and 625 feet East of the West line of said Northwest Quarter; thence West and parallel to the North property line of said 34th Street a distance of 155.13 feet (155.0 feet by deed) to a point, said point being 117.5 feet East of the East

property line of Salem Street; thence South and parallel to the East property line of Salem Street, a distance of 50.0 feet to a point in the North line of an alley dedicated by deed recorded in Deed Record Lands 49 page 47 and vacated by proceedings recorded in Deed Record Town Lots 784 page 448, said point being 117.5 feet East of the East property line of Salem Street and 15 feet West of the Northeast corner of said alley; thence East parallel to the North property line of 34th Street and on and along the North line of said vacated alley 15 feet to the Northeast corner of said alley, said point being 132.5 feet East of the East property line of Salem Street; thence South and parallel to the East property line of Salem Street a distance of 60 feet to a point; thence West and parallel to the North property line of 34th Street a distance of 132.50 feet to the point or place of beginning.

Subject, however, to easements, highways, rights of way, and restrictions of record; also subject to property taxes for the year 1959 payable in 1960 and thereafter accruing.

PARCEL V.

A part of the South half of the Northwest Quarter of Section 24, Township 16 North, Range 3 East, Marion County, Indiana, described by deed as follows, to-wit:

Beginning in the center line of Meridian Street at a point 404 feet north of the south line of said quarter section; thence west parallel with the south line of said quarter section 175 feet; thence south parallel with the center line of Meridian Street 50 feet; thence east parallel with the south line of said quarter section 175 feet to the center of Meridian Street; thence north along the center of Meridian Street to the place of beginning, excepting therefrom 35 feet off of the east end of said tract as a part of Meridian Street; together with all rights, privileges and appurtenances thereto belonging, but subject to all rights of way, easements and restrictions of record.

PARCEL VI.

Beginning at a point 35 feet West of the center line of Meridian Street, at a point 454 feet North of the south line of the Northwest Quarter of Section 24, Township 16 North, Range 3 East; thence running west on a line parallel with said south line 155 feet; thence South 50 feet parallel to Meridian Street; thence East on a line parallel with the south line aforesaid Quarter Section 155 feet to a point 35 feet West of the center of Meridian Street; thence North parallel to the center line of Meridian Street 50 feet to the place of beginning; together with all rights, privileges and appurtenances thereto belonging, including any rights which grantors may have in vacated alley at the southwest corner of the above described tract, but subject to all rights of way, easements and restrictions of record.

PARCEL VII.

Lot No. 44 in Myer's North Illinois Street Addition to the City of Indianapolis, as per plat thereof recorded in Plat Book 10, page 35, in the office of the Recorder of Marion County, Indiana.

Subject to easements, restrictions and rights of way of record; and subject also to the second installment of taxes for the year 1960 payable in November 1961 and thereafter accruing.

PARCEL VIII.

Lots Numbered Forty-five (45) and Forty-six (46) in Myer's North Illinois Street Addition to the City of Indianapolis, the plat of which is recorded in Plat Book 10, page 35, in the Office of the Recorder of Marion County, Indiana.

Subject to assessments, highways, rights-of-way, and restrictions of record; subject to rights of tenants in possession; and subject to all installments of taxes due and payable in November, 1961, and thereafter accruing.

PARCEL IX.

Lot 47 in Myers' North Illinois Street Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 10, page 35, in the Office of the Recorder of Marion County, Indiana.

PARCEL X.

Lot 48 in Myers North Illinois Street Addition to the City of Indianapolis, the plat of which is recorded in Plat Book 10, page 35, in the office of the Recorder of Marion County, Indiana.

Subject to easements, rights of way and other restrictions, if any, of record.

now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the parcel commonly known as 3450 North Meridian Street, Indianapolis, Indiana, which is more specifically described as:

A part of the South half of the Northwest quarter of Section 24, Township 16 North, Range 3 East, Marion County, Indiana, described by deed as follows, to-wit:

PARCEL I.

Beginning on the East line of Salem Street in the City of Indianapolis, at a point 394 feet North of the South line of said Half Quarter Section, running thence East parallel with the South line of said half quarter Section, 132 1/2 feet to a point; thence South parallel with the East line of Salem Street 50 feet to a point; thence West parallel with the South line of said Half Quarter Section 132 1/2 feet to the East line of Salem Street, thence North 50 feet to the place of beginning.

PARCEL II.

Beginning on the East line of Salem Street at a point 404 feet North of the South line of said Half Quarter Section, running thence North on the East line of Salem Street 50 feet to a point; thence East parallel with the South line of said Half Quarter Section 132 1/2 feet; thence South parallel with the East line of Salem Street 50 feet to a point; thence West parallel with the South line of said Half Quarter Section 132 1/2 feet to the East line of Salem Street, the place of beginning, except 15 feet off of the East end thereof.

PARCEL III.

Beginning on the East line of Salem Street, at a point 454 feet North of the South line of said Half Quarter Section, running thence North on the East line of Salem Street 100 feet to a point; thence East parallel with the South line of said Half Quarter Section 132 1/2 feet; thence South parallel with the East line of Salem Street, 100 feet to a point; thence West parallel with the South line of said Half Quarter Section 132 1/2 feet to the East line of Salem Street, to the place of beginning.

PARCEL IV.

Beginning on the West line of Meridian Street at a point 454 feet North of the South line and 625 feet East of the West line of said Half Quarter Section, and running West parallel to the South line of said Half Quarter 140 feet; thence North parallel to the West line of said Half Quarter 100 feet; thence East parallel to the South line of said Quarter 140 feet to the West line of Meridian Street; thence South with West line of said street 100 feet to the beginning.

Together with a ten (10) foot vacated alley lying North of and adjacent to Parcel I. And found by survey to be as follows, to-wit:

Beginning at a point on the East property line of Salem Street 344 feet North of the North property line of 34th Street, as said Salem Street and 34th Street were located and established in the City of Indianapolis on November 12, 1959, said North property line of 34th Street being also the South line of said Northwest Quarter; thence North on and along the East property line of Salem Street 210 feet to a point, said point being 119 feet South of the South property line of 35th Street, as said street was located and established in the City of Indianapolis on November 12, 1959; thence East and parallel to the North property line of 34th Street a distance of 272.63 feet (272.50 feet by deed) to a point in the West property line of North Meridian Street, as said street was located and established in the City of Indianapolis on November 12, 1959; thence South on and along the West property line of said Meridian Street a distance of 100 feet to a point, said point being 454 feet North of the South line and 625 feet East of the West line of said Northwest Quarter; thence West and parallel to the North property line of said 34th Street a distance of 155.13 feet (155.0 feet by deed) to a point, said point being 117.5 feet East of the East property line of Salem Street; thence South and parallel to the East property line of Salem Street, a distance of 50.0 feet to a point in the North line of an alley dedicated by deed recorded in Deed Record Lands 49 page 47 and vacated by proceedings recorded in Deed Record Town Lots 784 page 448, said point being 117.5 feet East of the East property line of Salem Street and 15 feet West of the Northeast corner of said alley; thence East parallel to the North property line of 34th Street and on and along the North line of said vacated alley 15 feet to the Northeast corner of said alley, said point being 132.5 feet East of the East property line of Salem Street; thence South and parallel to the East property line of Salem Street a distance of 60 feet to a point; thence West and parallel to the North property line of 34th Street a distance of 132.50 feet to the point or place of beginning.

Subject, however, to easements, highways, rights of way, and restrictions of record; also subject to property taxes for the year 1959 payable in 1960 and thereafter accruing.

PARCEL V.

A part of the South half of the Northwest Quarter of Section 24, Township 16 North, Range 3 East, Marion County, Indiana, described by deed as follows, to-wit:

Beginning in the center line of Meridian Street at a point 404 feet north of the south line of said quarter section; thence west parallel with the south line of said quarter section 175 feet; thence south parallel with the center line of Meridian Street 50 feet; thence east parallel with the south line of said quarter section 175 feet to the center of Meridian Street; thence north along the center of Meridian Street to the place of beginning, excepting therefrom 35 feet off of the east end of said tract as a part of Meridian Street; together with all rights, privileges and appurtenances thereto belonging, but subject to all rights of way, easements and restrictions of record.

PARCEL VI.

Beginning at a point 35 feet West of the center line of Meridian Street, at a point 454 feet North of the south line of the Northwest Quarter of Section 24, Township 16 North, Range 3 East; thence running west on a line parallel with said south line 155 feet; thence South 50 feet parallel to Meridian Street; thence East on a line parallel with the south line aforesaid Quarter Section 155 feet to a point 35 feet West of the center of Meridian Street; thence North

parallel to the center line of Meridian Street 50 feet to the place of beginning; together with all rights, privileges and appurtenances thereto belonging, including any rights which grantors may have in vacated alley at the southwest corner of the above described tract, but subject to all rights of way, easements and restrictions of record.

PARCEL VII.

Lot No. 44 in Myer's North Illinois Street Addition to the City of Indianapolis, as per plat thereof recorded in Plat Book 10, page 35, in the office of the Recorder of Marion County, Indiana.

Subject to easements, restrictions and rights of way of record; and subject also to the second installment of taxes for the year 1960 payable in November 1961 and thereafter accruing.

PARCEL VIII.

Lots Numbered Forty-five (45) and Forty-six (46) in Myer's North Illinois Street Addition to the City of Indianapolis, the plat of which is recorded in Plat Book 10, page 35, in the Office of the Recorder of Marion County, Indiana.

Subject to assessments, highways, rights-of-way, and restrictions of record; subject to rights of tenants in possession; and subject to all installments of taxes due and payable in November, 1961, and thereafter accruing.

PARCEL IX.

Lot 47 in Myers' North Illinois Street Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 10, page 35, in the Office of the Recorder of Marion County, Indiana.

PARCEL X.

Lot 48 in Myers North Illinois Street Addition to the City of Indianapolis, the plat of which is recorded in Plat Book 10, page 35, in the office of the Recorder of Marion County, Indiana.

Subject to easements, rights of way and other restrictions, if any, of record.

meets the requirement imposed by I.C. 36-7-12-2, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 29, 1985, was adopted on the following roll call vote; viz:

24 AYES: Borst, Boyd, Bradley, Campbell, Coughenour, Crowe, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader,

NOT NAYS

5 NOT VOTING: Clark, Cottingham, Curry, Dowden, West

Proposal No. 29, 1985, was retitled SPECIAL RESOLUTION NO. 8, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 8, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, installation, renovation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Community Blood Bank of Marion County, Inc. d/b/a/ Central Indiana Regional Blood Center (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, renovate, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, installation, renovation and equipping of an existing building and the machinery and equipment to be installed therein plus certain site improvements to be located at 3450 North Meridian Street, Indianapolis, Indiana which will be used to provide blood service to hospitals located in central Indiana counties (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 16 at the end of one year and a total of 48 at the end of three years) to be achieved by the acquisition, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of One Million Three Hundred Thousand Dollars (\$1,300,000) under the Act to be privately placed and subject to the project site being designated as an Economic Development Target Area pursuant to I.C. 36-7-12, and also as an Economic Revitalization Area by the Metropolitan Development Commission for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to Community Blood Bank of Marion County, Inc. d/b/a Central Indiana Regional Blood Center (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, renovation, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires August 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 46-52, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on January 17, 1985". Councillor Gilmer requested that Proposal No. 51, 1985, be held in Council to allow the petitioner

to complete final documentation. Consent was given to hold Proposal No. 51, 1985 for public hearing at the next meeting. No action was taken on Proposal Nos. 46-50 and 52, 1985, by the Council and the Proposals were deemed adopted. Proposal Nos. 46-50 and 52, 1985, were retitled REZONING ORDINANCE NOS. 11-16, 1985, and read as follows:

REZONING ORDINANCE NO. 11, 1985 84-Z-107 AMENDED WASHINGTON TOWNSHIP COUNCILMANIC DISTRICT NO. 6
920 EAST 62ND STREET, INDIANAPOLIS
Joseph Barbieri, by Harry F. McNaught, Jr., requests rezoning of 1.4 acres, being in the D-5 district, to the D-8 classification, to provide for the renovation of School 80 for multi-family residential development.

REZONING ORDINANCE NO. 12, 1985 84-Z-201 WASHINGTON TOWNSHIP COUNCILMANIC DISTRICT NO. 7
4915 EAST 56TH STREET, INDIANAPOLIS
Hardee's Food Systems, Inc., by Richard C. Kraege, requests the rezoning of 1.26 acres, being in the D-3 district, to the C-3 classification, to provide for the construction of a restaurant, including drive-through service.

REZONING ORDINANCE NO. 13, 1985 84-Z-211 CENTER TOWNSHIP COUNCILMANIC DISTRICT NO. 20
1551 SOUTH MERIDIAN STREET, INDIANAPOLIS
Hispanic Housing Services, Inc., by Manuel P. Guerrero, requests the rezoning of 1.4 acres, being in the SU-2 district, to the D-8 classification, to provide for the construction of 50 units of housing for the elderly.

REZONING ORDINANCE NO. 14, 1985 84-Z-216 CENTER TOWNSHIP COUNCILMANIC DISTRICT NO. 20
17 WEST MORRIS STREET, INDIANAPOLIS
Herbert H. Hoeltke, by Philip A. Nicely, requests the rezoning of 0.52 acre, being in the C-1 district, to the C-4 classification, to provide for the development of a photography laboratory.

REZONING ORDINANCE NO. 15, 1985 84-Z-217 PERRY TOWNSHIP COUNCILMANIC DISTRICT NO. 20
3510 SOUTH KEYSTONE AVENUE, INDIANAPOLIS
E & F Realty Company, by Michael J. Kias, requests the rezoning of 2.7 acres, being in the C-ID district, to the C-6 classification, to provide for the construction of a motel.

REZONING ORDINANCE NO. 16, 1985 85-Z-3 (85-DP-1) LAWRENCE TOWNSHIP COUNCILMANIC DISTRICT NO. 5
12102 EAST 86TH STREET, INDIANAPOLIS
The Shorewood Corporation, by William F. LeMond, requests the rezoning of approximately 630 acres, being in the D-P and SU-39 districts, to the D-P classification, to provide for a revised final plan for Parcels 12 through 17 and proposed preliminary plan for Parcels 18 through 20 at Geist Harbours.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 589, 1984. This proposal is a final bond ordinance authorizing the issuance of \$375,000 Economic Development Revenue Bonds for Westside Investors Group, an Indiana limited partnership. Councillor Schneider reviewed

the project as the acquisition, renovation, and equipping of a 10,000 square foot building located at 8240 Indy Lane to be occupied by Creative Logic Equipment Corporation (90%) and (10%) by Elliott Equipment Corporation for the wholesale distribution of micro computer hardware, software and peripherals. Bond financing contains the following documents: Loan Agreement; Indenture of Trust with First Bank & Trust Company; Leases; Collateral Assignment of Leases and Rentals; Lessees' Consents; and Guaranty Agreement. The interest rate will be 77% of the prime rate announced by the First Bank and Trust Company, and the interest is payable February 1, 1985, and the first day of each month thereafter. The principal is payable commencing March 1, 1985, and on the first day of each month thereafter to and including January 1, 2000 in the amount of \$2,083.33 with the final payment due February 1, 2000. Councillor Schneider stated that technical changes were made during the committee hearings. The Economic Development Committee on January 23, 1985, recommended Proposal No. 589, 1984, Do Pass As Amended by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Howard, for adoption. Proposal No. 589, 1984, as amended, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Campbell, Clark, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

4 NOT VOTING: Bradley, Cottingham, Coughenour, Curry

Proposal No. 589, 1984, as amended, was retitled SPECIAL ORDINANCE NO. 4, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 4, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1985 (Westside Investors Group Project)" in the principal amount of Three Hundred Seventy-five Thousand Dollars (\$375,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Westside Investors Group, an Indiana limited partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on January 23, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Westside Investors Group, an Indiana limited partnership (the "Company") consisting of the acquisition, renovation, construction, installation and equipping of an existing building containing approximately 10,000 square feet and the machinery and equipment to be installed therein

plus certain site improvements located at 8240 Indy Lane, Indianapolis, Indiana on approximately 1.5 acres of land which will be used by Creative Logic Equipment Corporation and Elliott Equipment Corporation for the wholesale distribution of micro computer hardware, software, and peripherals with service for products sold (the "Project") which will be initially owned by Westside Investors Group and operated by Westside Investors Group, an Indiana limited partnership through a lease of the facilities to Creative Logic Equipment Corporation and Elliott Equipment Corporation complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Indenture of Trust, Guaranty Agreement, Leases, Collateral Assignment of Leases and Rentals, Lessees' Consents and Agreements To Lease Assignments, Series 1985 Promissory Note and the form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bonds, Series 1985 (Westside Investors Group Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement consisting of the acquisition, renovation, construction, installation and equipping of an existing building containing approximately 10,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located at 8240 Indy Lane, Indianapolis, Indiana on approximately 1.5 acres of land which will be used by Creative Logic Equipment Corporation and Elliott Equipment Corporation for the wholesale distribution of micro computer hardware, software, and peripherals with service for products sold previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Westside Investors Group, an Indiana limited partnership for the purposes of financing the economic development facilities being acquired, renovated, constructed, installed and equipped or to be acquired, renovated, constructed, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Westside Investors Group, an Indiana limited partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Indenture of Trust, Guaranty Agreement, Leases, Collateral Assignment of Leases and Rentals, Lessees' Consents and Agreements To Lease Assignments, Series 1985 Promissory Note and the form of the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1985 (Westside Investors Group Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Indenture of Trust, Guaranty Agreement, Leases, Collateral Assignment of Leases and Rentals, Lessees' Consents and Agreements To Lease Assignments, Series 1985 Promissory Note and the form of the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1985 (Westside Investors Group Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development First Mortgage Revenue Bonds, Series 1985 (Westside Investors Group Project) in the aggregate principal amount of Three Hundred Seventy-five Thousand Dollars (\$375,000) for the purpose of procuring funds to loan to Westside Investors Group, an Indiana limited partnership in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan

Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Westside Investors Group, an Indiana limited partnership on its Series 1985 Promissory Note in the principal amount of Three Hundred Seventy-five Thousand Dollars (\$375,000), which will be executed and delivered by Westside Investors Group, an Indiana limited partnership to evidence and secure said loan, and as otherwise provided in the above described Loan Agreement, Mortgage and Indenture of Trust, Guaranty Agreement, Collateral Assignment of Leases and Rentals and Lessees' Consents and Agreements To Lease Assignments. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest equal to seventy-seven percent (77%) of the Prime Rate of First Bank and Trust Company (as defined in the Loan Agreement and form of the Bonds contained in the Mortgage and Indenture of Trust) such interest rate to be adjusted on each interest payment date and to be effective for the following month or such higher rate as may result from a Determination of Taxability as defined in the Mortgage and Indenture of Trust (provided that in no event shall the interest rate thereof exceed 30% per annum).

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Indenture of Trust, the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bonds, Series 1985 (Westside Investors Group Project), and the Endorsement to the Series 1985 Promissory Note approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Mortgage and Indenture of Trust. The Mayor and City Clerk may by their execution of the Loan Agreement, Mortgage and Indenture of Trust, the Endorsement to the Series 1985 Promissory Note and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the Series 1985 Promissory Note, Leases, Guaranty Agreement, Collateral Assignment of Leases and Rentals and Lessees' Consents and Agreements To Lease Assignments without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Mortgage and Indenture of Trust shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1985 (Westside Investors Group Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 2, 1985. This proposal approves the leasing of surplus property through the Parks Department. Councillor Durnil explained that the property is a house located on West 56th Street. The City has owned the property for several years since the golf course was purchased. The house has been appraised at

a rental value of \$550.00 per month and there is a family interested in renting it. The Parks and Recreation Committee on January 17, 1985, recommended Proposal No. 2, 1985, Do Pass by a vote of 6-0. Councillor Durnil moved, seconded by Councillor Rhodes for adoption. Proposal No. 2, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS
1 NOT VOTING: Curry

Proposal No. 2, 1985, was retitled SPECIAL RESOLUTION NO. 9, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 9, 1985

A SPECIAL RESOLUTION approving the leasing of certain real estate of the Department of Parks and Recreation.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council approves, pursuant to I.C. 36-1-11-3 the leasing of the following property by the Department of Parks and Recreation:

<u>Location</u>	<u>Appraised Value</u>	<u>Auction Bid Lease Value</u>	<u>Public Hearing Date</u>
8840 W. 56th Street	\$550.00 per month	\$550.00	July 8, 1982

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 3-6, 1985. Councillor Gilmer outlined the proposals as follows: PROPOSAL NO. 3, 1985, establishes a loading zone on a portion of Chesapeake Street. The Transportation Committee did technically amend this proposal and recommended it Do Pass As Amended at their meeting of January 16, 1985, by a vote of 6-0. PROPOSAL NO. 4, 1985, establishes weight limit restrictions on a portion of Shanghai Road; PROPOSAL NO. 5, 1985, changes intersection controls at Northgate and Crittenden Avenue; and PROPOSAL NO. 6, 1985, establishes intersection controls at East 56th Street and the entrance to Cathedral High School. The Transportation Committee at their meeting on

January 16, 1985, recommended Proposal Nos. 4, 5, and 6, 1985, Do Pass by a vote of 6-0. Councillor Gilmer moved, seconded by Councillor Rhodes for adoption. Proposal Nos. 3-6, 1985, were adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Curry

Proposal Nos. 3-6, 1985, were retitled GENERAL ORDINANCE NOS. 7-10, 1985, respectively and read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 7, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-331, Passenger and materials loading zones, be, and the same is hereby amended by the deletion of the following, to wit:

Meridian Street, on the west side, from a point 31 feet south of Chesapeake Street, to a point 56 feet south of Chesapeake Street.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-331, Passenger and materials loading zones, be, and the same is hereby amended by the addition of the following, to wit:

Meridian Street, on the west side, from a point 30 feet south of Chesapeake Street, to a point 71 feet south of Chesapeake Street.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 8, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-224, Trucks on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

Shanghai Road, from Lafayette Road to 71st Street.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 9, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 5	Northgate & Crittenden Ave.	Crittenden Ave.	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 5	Northgate & Crittenden Ave.	NONE	4-WAY STOP

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 10, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12 Pg. 7	E. 56th St. & Cathedral High School Entrance	NONE	SIGNAL

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL SERVICE DISTRICT COUNCILS

There being no business before any of the Special Service District Councils, none of the Special Service District Councils convened.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business and upon motion duly made and seconded, the meeting adjourned at 8:40 p.m.

We hereby certify that the above and foregoing is a full true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis, Police, Fire and Solid Waste Collection Special Service District Councils on the 28th day of January, 1985.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



PRESIDENT

ATTEST:



CLERK OF THE CITY-COUNTY COUNCIL

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND SPECIAL SERVICE DISTRICT COUNCILS
OF INDIANAPOLIS, MARION COUNTY, INDIANA**

REGULAR MEETINGS - MONDAY, FEBRUARY 11, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:07 p.m., on Monday, February 11, 1985, with Councillor SerVaas presiding.

The meeting was opened with a prayer and the Pledge of Allegiance to the Flag by Councillor Amy Bradley.

ROLL CALL

Councillor SerVaas instructed the Clerk to take the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

Twenty-nine members being present, he announced a quorum was present.

INTRODUCTION OF GUESTS AND VISITORS

Councillor West introduced Girl Scout Troup No. 4 and their leaders. Also, present were fifty children and their teacher Ms. Lois Petit from Northview School in Councillor Dowden's district.

OFFICIAL COMMUNICATIONS

President SerVaas introduced Mayor William H. Hudnut, III, Mayor of the City of Indianapolis, who gave the following statement:

"President, Ladies and Gentlemen of the Council:

"I appear before you again to discuss the issues of landfill and resource recovery. They were very much at the top of your agenda two weeks ago and have caused great concern to many of our constituents, particularly in Warren, Decatur and Franklin townships. During the last several weeks, I have listened to many people discuss these problems. I have encouraged them to share with me their viewpoints. And I have tried to think these matters through as best I am capable.

"We consciously decided to go public and involve the people in the decision making process. We solicited public comment and input. We have learned from all that and are grateful for it. We gave the people a chance to speak, and they did! What they have let us know, loud and clear, is that more landfill to dispose of our trash in Marion County ground is not a good answer to our trash disposal problems. Therefore, we will not proceed to site a new landfill in Marion County. Neither the four locations picked by the landfill evaluation committee, nor any others, will be considered as potential sites for a new Marion County landfill.

"But the problem of how to handle trash in Marion County still exists. You and I as elected officials have a responsibility to protect the health and environment of this Community. We must do something now to avert a crisis in the future. Our situation has not changed. We must develop a long-range plan to solve our problem.

"Since the Community has made it clear that the traditional solution of more landfill in our county is not acceptable, I propose that we go another way. When lack of land in Europe forced other answers, they looked to new technology for a solution. We must now choose this realistic alternative. We must proceed to build on the present Belmont Sewage Treatment Plant site a mass burn facility, financed and constructed by the private sector, to handle our solid waste.

"We must proceed carefully and cautiously, seeking to answer many questions that are being asked and trying to learn from legitimate concerns that are being expressed about the financing and operation of the Plant. We will make this an open process so that the public will be informed and have input during the entire process. But the idea of incinerating trash and turning it into steam and ash makes economic and environmental sense. On the basis of what we know about this technology and in light of discussions we have had with EPA and other

knowledgeable Congressional people, we believe we must proceed immediately to implement these plans. We cannot allow ourselves to be left with no practical options farther down the road. And I ask tonight for your support in choosing to follow this path.

"When the mass burn plant is finally built several years down the road, it is my understanding that the volume of solid waste that we have to dispose of will be reduced by possibly 90% to 95% and that what is left will be ash. Until such time as that plant is built, we will continue the present methods of trash disposal, using existing landfill capacity, assuming its continuing availability. After the new plant comes on line, I assume that we will continue to dispose of the ash in the same manner, unless we can sell it or somehow recycle it.

"No plan is perfect, but I hope the solid waste disposal strategy I have outlined makes sense, given the public's resistance to a new city owned landfill. This plan should allay the fears people have a new landfill in their back yard. It should decrease our need for landfill capacity. It should make more economic sense than continuing reliance solely on landfill. And it should help us protect the quality of the environment in our Community.

"The Advanced Wastewater Treatment Plant was the large environmental project that our Community undertook in the 1970's and successfully completed. Now in the 1980's, this resource recovery project gives us a magnificent opportunity to take more strides forward in a positive direction, remembering that environmental security is the keystone of our economic growth potential.

"So let us proceed together as a Community, rationally and responsibly, to find a solution to the long-range problem we have of disposing of our trash here in Marion County. Thank you.

Councillor Borst asked if the meeting being hosted by the civic organizations at the Howard Johnsons scheduled for Wednesday, February 13, 1985, was still being held. Mr. Mike Mahoney of the Franklin Township Civic Association stated it was still on.

The President called for the reading of Official Communications. The Clerk read the following:

**TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE,
FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT
COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,
INDIANA:**

Ladies and Gentlemen:

You are hereby notified that **REGULAR MEETINGS** of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, February 11, 1985, at 7:00 p.m., the purposes of such **MEETINGS** being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

s/Beurt SerVaas, President
City-County Council

January 29, 1985

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on January 31, 1985, and February 7, 1985, a copy of **NOTICE TO TAXPAYERS** of a Public Hearing on Proposal No. 51, 1985, and on January 31, 1985, a copy of **NOTICE TO TAXPAYERS** of a Public Hearing on Proposal Nos. 32, 34, 36, 37, 38, 1985, to be held on Monday, February 11, 1985, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

February 5, 1985

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

GENERAL ORDINANCE NO. 7, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

GENERAL ORDINANCE NO. 8, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted.

GENERAL ORDINANCE NO. 9, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 10, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

SPECIAL ORDINANCE NO. 2, 1985, amending and supplementing City-County Special Resolution No. 70, 1984, and authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (123 South Illinois Associates Project)" in the aggregate principal amount of Eight Million Five Hundred Thousand Dollars (\$8,500,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 3, 1985, designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

SPECIAL ORDINANCE NO. 4, 1985, authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1985 (Westside Investors Group Project)" in the principal amount of Three Hundred Seventy-five Thousand Dollars (\$375,000) and approving and authorizing other actions in respect thereto.

SPECIAL RESOLUTION NO. 3, 1985, in memory of Elmo G. Coney.

SPECIAL RESOLUTION NO. 4, 1985, memorializing Mary Lindsay.

SPECIAL RESOLUTION NO. 5, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 6, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 7, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 8, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 9, 1985, approving the leasing of certain real estate of the Department of Parks and Recreation.

Respectfully submitted,

s/William H. Hudnut, III

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS --

PROPOSAL NO. 72, 1985. This proposal extends certain services to the Acting Director of the Housing Authority. President SerVaas, sponsor of this proposal, stated that he was going to assign Proposal No. 72, to the Metropolitan Development Committee for hearing.

PROPOSAL NO. 73, 1985. This proposal amends and approves cart regulations promulgated by the City Controller. Councillor Coughenour reported that the Administration Committee heard almost three hours of public testimony and is recommending to this Council the approval of the Controller's regulations except that the next drawing to occur will not be until January 1, 1988. This date will give everyone operating a cart four full years of operation before the drawing for new districts. Councillor Coughenour moved, seconded by Councillor Curry for adoption. Proposal No. 73, 1985, was adopted by voice vote and retitled GENERAL RESOLUTION NO. 2, 1985, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 2, 1985

A GENERAL RESOLUTION amending and approving cart regulations promulgated by the City Controller.

WHEREAS, the City Controller promulgated certain regulations concerning the operation of cart vendors on December 12, 1984; and

WHEREAS, the City-County Council has suspended the effective date of such regulations until February 15, 1985; and

WHEREAS, the Council's Administration Committee has conducted a public hearing on such proposed regulations; and

WHEREAS, the Committee has recommended certain actions with respect to such regulations; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Paragraph B. 1. of the Regulations are amended and superceeded by changing the date for reassignment of zones to businesses from January 1, 1985 to January 1, 1988.

SECTION 2. The regulations as amended shall be effective upon adoption of this resolution and amendment of the regulations by the City Controller to conform to this resolution.

SECTION 3. The General Counsel is directed to prepare for introduction a proposal to amend the Code provisions relating to cart vendors to provide for four-year licenses for fixed zone assignments and quadrennial reassignments of zones based on random selection or bidding by qualified applicants.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 55, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appro-

appropriating \$50,000 for the Central Equipment Management Division to purchase land for the new garage facility"; and the President referred it to the Administration Committee.

PROPOSAL NO. 56, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,622 for the Clerk of the Circuit Court for salary expenses to be reimbursed by the Federal IV-D Program"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 57, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$78,696 for Superior Court, Criminal Divisions to retain certain public defenders as employees not on a contractual basis"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 58, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing changes in the personnel compensation schedule of Superior Court, Juvenile Division"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 59, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$500,000 for the County Sheriff to purchase patrol vehicles"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 60, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$28,375 for the County Sheriff to employ a chemist in the Crime Laboratory"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 61, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION renewing the Marion County Community Corrections Program for the fiscal year 1985-1986 and approves the actions of the Board concerning the 1985-1986 grant application to the State of Indiana, Department of Corrections"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 62, 1985. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION establishing the allocation priorities for cumulative capital development funds"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 63, 1985. Introduced by Councillors Hawkins and Howard. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE prohibiting parking on a portion of Illinois Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 64, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Pleasant and Shelby Streets"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 65, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Country Club Road and West 10th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 66, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Emerson Avenue and Victory Drive"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 67, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at various locations"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 68, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls in various subdivisions"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 69, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of Tuxedo Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 70, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing speed limit controls on portions of Fall Creek Boulevard and Fall Creek Parkway"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 71, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of McCarty Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 72, 1985. Introduced by Councillors Miller and McGrath. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Robert Sare to the Community Centers of Indianapolis Board"; and the President referred it to the Community Affairs Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 75-81, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on February 7, 1985". No action was taken on Proposal Nos. 75-81, 1985 by the Council and the proposals were deemed adopted. Proposal Nos. 75-81, 1985, were retitled REZONING ORDINANCE NOS. 17-23, 1985, and read as follows:

**REZONING ORDINANCE NO. 17, 1985 84-Z-180 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
6150 THOMAS ROAD, INDIANAPOLIS**

Steven R. Hall requests the rezoning of approximately 34 acres, being in the A-2 district, to the SU-1 classification, to provide for the construction of a church.

**REZONING ORDINANCE NO. 18, 1985 84-Z-204 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
7802 EAST SOUTHPORT ROAD, INDIANAPOLIS**

Robert E. Smith, by Michael J. Kias, requests the rezoning of 20.63 acres, being in the A-2 district, to the SU-5 classification, to provide for the construction and maintenance of a radio broadcasting tower, accessory building and facilities.

**REZONING ORDINANCE NO. 19, 1985 84-Z-214 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
7607 SOUTH MERIDIAN STREET, INDIANAPOLIS**

Alig and Associates, Inc., requests the rezoning of 0.75 acre, being in the A-2 district, to the C-1 classification, to provide for the construction and operation of a 5,000 square foot day care center.

**REZONING ORDINANCE NO. 20, 1985 85-Z-7 AMENDED WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
5957 CRAWFORDSVILLE ROAD, SPEEDWAY, INDIANA**

Leonard E. Wardlow, by Thomas Deal, requests the rezoning of 0.61 acre, being in the D-5 district, to the C-4 classification, to conform zoning to its use as a self-serve car wash and to permit a photo processing shop in an existing structure.

**REZONING ORDINANCE NO. 21, 1985 85-Z-9 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
8811 MASTERS ROAD, INDIANAPOLIS**

Mark III Development Group, by Raymond Good, requests the rezoning of approximately 41 acres, being in the A-2 district, to the D-6 II classification, to provide for the construction of apartments with a maximum density of 12 units per acre.

**REZONING ORDINANCE NO. 22, 1985 85-Z-11 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
4550 SOUTH HARDING STREET, INDIANAPOLIS**

Russell P. Wilson and George D. Wilson, by Thomas Michael Quinn, Jr., request rezoning of 0.86 acre, being in the I-4-S and C-6 district, to the C-5 classification, to provide for open air auto sales.

**REZONING ORDINANCE NO. 23, 1985 85-Z-15 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21
519 EAST MCCARTY STREET, INDIANAPOLIS**

Frank T. and Antonia S. Short request the rezoning of 0.19 acre, being in the I-3-U district, to the D-8 classification to provide for the restoration of residential structure.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 51, 1985. This proposal is for a rezoning ordinance for Pike Township, Councilmanic District 1, 8302 Township Line Road. Mr. Zeff Weiss, attorney for the petitioner, explained that the reason for the delay was additional paper work and all has been completed and there were no technical amendments made. The President called for public testimony at 7:58 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Cottingham for adoption. Proposal No. 51, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Campbell, Clark, Cottingham, Crowe, Curry, Dowden, Durnil, Giffin, Hawkins, Holmes, Howard, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

4 NOT VOTING: Bradley, Coughenour, Gilmer, Journey

Proposal No. 51, 1985, was retitled REZONING ORDINANCE NO. 24, 1985, and reads as follows:

**REZONING ORDINANCE NO. 24, 1985 84-Z-220 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
8302 TOWNSHIP LINE ROAD, INDIANAPOLIS**

Joseph F. Sexton Company, by Zeff A. Weiss, requests the rezoning of approximately 56 acres, being in the A-2, SU-2 and HD-II districts, to the HD-II classification, to provide for the construction of 43 apartment buildings containing a total of 714 living units.

PROPOSAL NO. 32, 1985. This proposal appropriates \$500,000 for the Marion County Auditor from the Cumulative Building Fund for renovation of the Juvenile Center. President SerVaas noted that this proposal had not been heard in committee yet and asked for consent to postpone Proposal No. 32, 1985, until the next meeting on February 25, 1985. Consent was given.

PROPOSAL NO. 34, 1985. This proposal appropriates \$274,503 for the Community Corrections Advisory Board to fund the program for the first six months of 1985. Councillor Dowden explained that these funds will be reimbursed by the State. The Public Safety and Criminal Justice Committee at its meeting on January 30, 1985, amended Proposal No. 34, 1985, to be retroactive to January 1, 1985, and then recommended it Do Pass As Amended by a vote of 9-0. The President called for public testimony at 8:00 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst for adoption. Proposal No. 34, 1985, as amended, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

5 NOT VOTING: *Durnil, Gilmer, Howard, Page, Schneider*

Proposal No. 34, 1985, as amended, was retitled FISCAL ORDINANCE NO. 3, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 3, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Two Hundred Seventy-four Thousand Five Hundred Three Dollars (\$274,503) in the State and Federal Grant Fund for purposes of the Marion County Community Corrections Advisory Board and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(25) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for January 1 to June 30, 1985 to continue the Community Corrections Program which will be reimbursed by the State.

SECTION 2. The sum of Two Hundred Seventy-four Thousand Five Hundred Three Dollars (\$274,503) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

**SECTION 3. The following additional appropriations are hereby approved:
COMMUNITY CORRECTIONS ADVISORY BD.**

STATE AND FEDERAL GRANT FUND

31. Personal Services	\$105,645
33. Travel	3,251
34. Equipment	2,352
35. Operating Expenses	158,374
	<u>\$269,622</u>

MARION COUNTY AUDITOR

31. Personal Services (Fringes)	<u>4,881</u>
TOTAL INCREASE	\$274,503

SECTION 4. The said additional appropriations are funded by the following reductions:

COMMUNITY CORRECTIONS ADVISORY BD.

STATE AND FEDERAL GRANT FUND

Unappropriated and Unencumbered State and Federal Grant Fund	<u>\$274,503</u>
TOTAL REDUCTION	\$274,503

SECTION 5. The personnel schedule is hereby established as follows herein:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Professional	5	21,190	\$86,070
Admin./Clerical	1	12,075	12,075
Temporary/Interns	<u>—</u>		<u>7,500</u>
TOTAL	6		\$105,645

SECTION 6. This ordinance shall be in full force and effect retroactive to January 1, 1985, and upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 36, 1985. This proposal appropriates \$58,794 for the Marion County Prosecutor these are remaining funds from Deterrence of DWI's and the Diversion Program Revenues. Councillor Dowden explained Proposal No. 36 in two parts: \$8,794 is the remaining portion of a DWI grant sponsored by the University of North Carolina; and \$50,000 is requested for additional staff to work with the diversion programs. The Prosecutor's Office anticipates revenues in excess of \$400,000 to be collected through diversion programs in 1985. The Public Safety and Criminal Justice Committee at the January 30, 1985, meeting recommended Proposal No. 36, 1985, Do Pass by a vote of 9-0. The President called for public testimony at 8:10 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Hawkins for adoption. Proposal No. 36, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw,

Stewart, Strader, West
1 NAY: Howard

Proposal No. 36, 1985, was retitled FISCAL ORDINANCE NO. 4, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 4, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Fifty-eight Thousand Seven Hundred Ninety-four Dollars (\$58,794) in the County General Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the County General Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02(b)(22) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing the appropriation of the remaining funds from the "Enforcement & Public Information Strategies for General Deterrence of DWI's" and \$50,000 from the Diversion Program Revenues.

SECTION 2. The sum of Fifty-eight Thousand Seven Hundred Ninety-four Dollars (\$58,794) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:	
MARION COUNTY PROSECUTOR	COUNTY GENERAL FUND
1. Personal Services	\$55,294
3. Other Services & Charges	3,500
TOTAL INCREASE	<u>\$58,794</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

MARION COUNTY PROSECUTOR	COUNTY GENERAL FUND
Unappropriated and Unencumbered	
County General Fund	<u>\$58,794</u>
TOTAL REDUCTION	<u>\$58,794</u>

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(22) PROSECUTING ATTORNEY - Dept. 25

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	7,245	7,245
Chief Trial Deputy	1	4,928	4,928
Admin. Staff	3	25,716	62,700
Admin. Supervisor	8	26,000	87,868
Admin. Secretary	12	17,196	145,050
General Secretary	11	16,932	133,101
Computer Staff	4	14,635	40,000

Investigator	4	40,110	90,000
Law Clerk	13	15,855	91,000
Paralegal	17	19,513	215,218
Chief Counsel	1	42,110	42,110
Supv. of Professionals	8	40,110	277,819
Full & Part-time Deputy			
Prosecutors	47	36,135	1,060,620
Temporary			20,000
Vacancy Factor	—	(11,851,789)	(130,475)
TOTAL	130	2,091,890	<u>2,147,184</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 37, 1985. This proposal appropriates \$342,270 for the Marion County Prosecutor for three continuing grants in 1985. Councillor Dowden reported that these are Crime Control Funds being appropriated to the Witness Coordination and Diversion Grant, the Serious and Violent Juvenile Habitual Offender Grant and the Youth Resource Center Grant. The Public Safety and Criminal Justice Committee on January 30, 1985, recommended Proposal No. 37, 1985, Do Pass by a vote of 9-0. The President called for public testimony at 8:12 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Rhodes for adoption. Proposal No. 37, 1985, was adopted on the following roll call vote; viz:

29 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

Proposal No. 37, 1985, was retitled FISCAL ORDINANCE NO. 5, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 5, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Three Hundred Forty-two Thousand Two Hundred Seventy Dollars (\$342,270) in the State and Federal Grant Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02(b)(22) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated

for the purposes of appropriating Crime Control Funds for three continuing grants in 1985.

SECTION 2. The sum of Three Hundred Forty-two Thousand Two Hundred Seventy Dollars (\$342,270) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY PROSECUTOR	STATE AND FEDERAL GRANT FUND
31. Personal Services	\$222,475
32. Contractual Services	49,065
33. Travel	3,008
34. Equipment	5,000
35. Operating Expenses	14,028
	<u>\$293,576</u>

MARION COUNTY AUDITOR

31. Personal Services (Fringes)	48,694
TOTAL INCREASE	<u>\$342,270</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

MARION COUNTY PROSECUTOR	STATE AND FEDERAL GRANT FUND
Unappropriated and Unencumbered	
State and Federal Grant Fund	<u>\$342,270</u>
TOTAL REDUCTION	<u>\$342,270</u>

SECTION 5. The personnel schedule is hereby established as follows herein:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Deputy Prosecutors	4	32,000	62,000
Witness Coordinator	1	18,000	18,000
Paralegal	1	17,000	17,000
Investigator	1	21,000	21,000
Project Analyst	1	11,000	11,000
Director	4	25,500	58,000
Volunteer Coordinator	1	15,000	15,000
Secretary	3	14,500	25,000
Counselor	2	15,000	29,000
Screening Deputy	1	12,000	10,000
Intern	1	13,000	6,500
Data Entry Clerk	1	13,000	6,500
Vacancy Factor			<u>(56,525)</u>
TOTAL	21		\$222,475

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 38, 1985. This proposal appropriates \$292,822 for the Marion County Prosecutor to fund the Alternative Challenge Program. Councillor Dowden noted that Councillor Giffin requested to be a co-sponsor of Proposal No. 38, because of his work with the Private Industry Council on this project. He explained that these funds are for "Project Breakthrough". Approximately 300

non-violent repeat juvenile offenders will be screened and 72 yearly will be selected to participate in the Project. Twelve selected offenders will attend the Project Breakthrough facility in Jackson County for seven weeks. They will have a structured environment including: remedial reading, other educational classes, psychological testing and job skill training. After the seven-week session, the 12 juveniles will return to their homes and obtain further job training through the Prosecutor's Office. The Public Safety and Criminal Justice Committee on January 30, 1985, recommended Proposal No. 38, 1985, Do Pass by a vote of 9-0. The President called for public testimony at 8:16 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Giffin for adoption. Proposal No. 38, 1985, was adopted on the following roll call vote; viz:

29 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

Proposal No. 38, 1985, was retitled FISCAL ORDINANCE NO. 6, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 6, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Two Hundred Ninety-two Thousand Eight Hundred Twenty-two Dollars (\$292,822) in the State and Federal Grant Fund for purposes of the Marion County Prosecutor - Alternative Challenge Program and reducing certain other appropriations for the Marion County Auditor in the County General Fund and the unappropriated and unencumbered balance in the State and Federal Grant Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(22) and (a)(2) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for the Alternative Challenge Program and reducing the residents in state institutions expense in the Auditor's budget.

SECTION 2. The sum of Two Hundred Ninety-two Thousand Eight Hundred Twenty-two Dollars (\$292,822) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4 and by reducing the appropriation the sum of One Hundred Forty-six Thousand One Hundred Seventy-one Dollars (\$146,171) in Section 4 for the County General Fund.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY PROSECUTOR
ALTERNATIVE CHALLENGE PROGRAM

STATE AND FEDERAL GRANT FUND

35. Operating Expenses	\$292,822
TOTAL INCREASE	\$292,822

MARION COUNTY AUDITOR
Unappropriated and Unencumbered
County General Fund
TOTAL INCREASE

COUNTY GENERAL FUND

\$146,171
<u>\$146,171</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

MARION COUNTY PROSECUTOR
ALTERNATIVE CHALLENGE PROGRAM

STATE AND FEDERAL GRANT FUND

Unappropriated and Unencumbered State and Federal Grant Fund	\$292,822
TOTAL REDUCTION	<u>\$292,822</u>

MARION COUNTY AUDITOR
3. Other Services & Charges
TOTAL REDUCTION

COUNTY GENERAL FUND

\$146,171
<u>\$146,171</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 660, 1984. This proposal authorizes changes in the personnel schedule of the Lawrence Township Assessor. Councillor Cottingham stated that this proposal sets a vacancy factor of \$3,734 for the Lawrence Township Assessor, which allows the Deputies a 4% increase for 1985. The County and Townships Committee on February 5, 1985, recommended Proposal No. 660, 1984, Do Pass by a vote of 5-0. Councillor Cottingham moved, seconded by Councillor Hawkins for adoption. Proposal No. 660, 1984, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Howard

Proposal No. 660, 1984, was retitled FISCAL ORDINANCE NO. 7, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 7, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the Lawrence Township Assessor.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Section 2.02 (d)(4) of City-County Fiscal Ordinance No. 65, 1984, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(4) LAWRENCE TOWNSHIP ASSESSOR - Dept. 20

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	31,202	31,202
Chief Deputy	1	23,397	23,397
Deputies	9	22,684	193,175 <u>97,085</u>
Temporary			<u>3,700</u>
<u>Vacancy Factor</u>	<u> </u>		<u>0 (3,734)</u>
TOTAL	11		151,650

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal NO. 1, 1985. This proposal approves certain projects for funding from Community Development Grant Funds. Councillor Borst explained that the Metropolitan Development Committee held another hearing on Proposal No. 1, 1985, on February 6, 1985, and amended the proposal as follows: \$50,000 toward the Neighborhood Commercial Revitalization project, increasing it to \$350,000; \$50,000 toward the Paint-up/Fix-up Program, increasing it to \$300,000; and \$337,000 in the Department of Public Safety, Fire Department, which can be used for various equipment needs. The Committee recommends Proposal No. 1, 1985, to the Council Do Pass As Amended by a vote of 5-1. Councillor Borst moved, seconded by Councillor Howard for adoption. Councillor Cottingham made the following amendment, which was seconded by Councillor Journey:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend SECTION 2. of Proposal No. 1, 1985, by deleting all expenditures for a downtown daycare center by reducing "Division of Economic and Housing Develop-

ment" \$250,000 from \$825,000 to \$575,000 for "Downtown Development" and the Division Subtotal from \$4,765,000 to \$4,515,000 and the total Community Development Program Agency Budget from \$10,723,000 to \$10,473,000.

s/Councillor Cottingham

The amendment failed on the following roll call vote; viz:

14 AYES: Bradley, Cottingham, Coughenour, Curry, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, SerVaas, Stewart, West

15 NAYS: Borst, Boyd, Campbell, Clark, Crowe, Dowden, Durnil, McGrath, Nickell, Page, Rader, Rhodes, Schneider, Shaw, Strader

Proposal No. 1, 1985, as amended, was adopted on the following roll call vote; viz:

18 AYES: Borst, Boyd, Campbell, Crowe, Curry, Gilmer, Hawkins, Howard, Journey, McGrath, Miller, Page, Rader, Rhodes, SerVaas, Shaw, Strader, West

11 NAYS: Bradley, Clark, Cottingham, Coughenour, Dowden, Durnil, Giffin, Holmes, Nickell, Schneider, Stewart

Proposal No. 1, 1985, as amended, was retitled SPECIAL RESOLUTION NO. 10, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 10, 1985

A SPECIAL RESOLUTION approving certain projects for funds from Community Development Grant Funds.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to Section 4.02 of the 1985 Annual Budget (Fiscal Ordinance No. 65, 1984) the City-County Council hereby approves the amounts, locations and programmatic operation of each of the projects listed in Section 2 to be funded from the Community Development Grant Fund appropriated in the 1985 Annual Budget.

SECTION 2. The projects are generally approved as contained in the pamphlet "CDBG 1985 Community Development Program", dated December 1, 1984 and summarized as follows:

1985 COMMUNITY DEVELOPMENT PROGRAM AGENCY BUDGET

DEPARTMENT OF ADMINISTRATION

Division of Employment and Training
Health Services Network
Multi-Service Center Network

**\$390,000.00
450,000.00**

Senior Service Network	142,000.00
Youth Services	118,000.00
SUBTOTAL	\$1,100,000.00
DEPARTMENT OF METROPOLITAN DEVELOPMENT	
Community Development Administration	\$421,000.00
Division of Development Services	
Unsafe Building Program	375,000.00
Division of Economic and Housing Development	
Downtown Development	825,000.00
Federal Property Management	75,000.00
Emergency Home Repair Assistance Program	100,000.00
Housing Assistance	450,000.00
Housing Leveraging	750,000.00
Industrial Park	400,000.00
International Harvester E.D. Loan	265,000.00
Midtown/Northwest Redevelopment Area	700,000.00
Neighborhood Commercial Revitalization	300,000.00
Neighborhood Housing Assistance	350,000.00
Paint-up/Fix-up	350,000.00
Special Projects (38th Street)	200,000.00
SUBTOTAL	\$4,765,000.00
Division of Planning	
Community, Economic, and Public Facilities Planning	\$600,000.00
Indianapolis Historic Preservation Commission	
Historic Preservation Planning	\$150,000.00
DEPARTMENT OF PARKS AND RECREATION	
Neighborhood Park Improvements	\$275,000.00
DEPARTMENT OF PUBLIC SAFETY	
Fire Department	\$337,000.00
DEPARTMENT OF PUBLIC WORKS	
Barrington Heights Drainage Improvement	\$300,000.00
Fall Creek Improvement	250,000.00
SUBTOTAL	\$550,000.00
DEPARTMENT OF TRANSPORTATION	
Agnes Street Improvement Curbs, Sidewalks, and Alley Paving	\$1,300,000.00
HEALTH AND HOSPITAL CORPORATION	
Environmental Control	\$ 12,000.00
Housing and Sanitation Code Enforcement	338,000.00
SUBTOTAL	\$350,000.00
INDIANAPOLIS HOUSING AUTHORITY	
Public Housing Improvements	\$500,000.00
TOTAL	\$10,723,000.00

SECTION 3. This resolution shall be in full force and effect retroactive to January 1, 1985 and upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 23, 1985. This proposal is a final bond ordinance authorizing the issuance of \$6,000,000 Economic Development Refunding Revenue Bonds for Yellow Freight System, Inc. (refunds previously issued Series 1982 Revenue Bonds). Councillor Schneider explained that "the \$6,000,000 refunding bonds will retire Series 1982 bonds and replace the financing of the project with bonds at a lower interest rate." Bond financing contains the following documents: Trust Indenture with Indiana National Bank; Bond Purchase Agreement with Thornton, Farish & Gauntt, Inc; Letter of Credit with Chase Manhattan Bank; Remarketing and Indexing Agency Agreement; Depository Agreement; Refunding Agreement; and Loan Agreement. The Bonds will be dated January 15, 1985, and will mature January 15, 2010. The interest is payable each July 15 and January 15 commencing July 15, 1985. The interest rate will initially be 7%, but there are provisions for adjustments to certain indexes. The Economic Development Committee on January 23, 1985, recommended Proposal No. 23, 1985, Do Pass by a vote of 5-0. Since that time there have been technical changes by the City's attorney and Councillor Schneider made the following motion:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to substitute the proposal entitled Proposal No. 23, 1985, As Amended, for the original Proposal No. 23, 1985.

s/Councillor Schneider

Consent was given to this motion. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 23, 1985, as amended, was adopted on the following roll call vote; viz:

27 AYES: Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

2 NOT VOTING: Borst, Cottingham

Proposal No. 23, 1985, as amended, was retitled **SPECIAL ORDINANCE NO. 5, 1985**, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 5, 1985

A SPECIAL ORDINANCE authorizing the issuance and sale of \$6,000,000 of the City of Indianapolis, Indiana Economic Development Refunding Revenue Bonds (Yellow Freight System, Inc. Project) for the purpose of making a loan to provide funds to

Yellow Freight System, Inc. for the permanent financing of costs of an "Economic Development Facility" within the meaning of Title 36, Article 7, Chapter 12 of the Indiana Code as amended, and authorizing the execution and delivery of a Loan Agreement pertaining to the Project, a Trust Indenture securing the payment of the Bonds, a Refunding Agreement relating to such Bonds and the Issuer's Outstanding Bonds, a Bond Purchase Agreement pertaining to the sale of the Bonds and such other documents and instruments as are necessary or desirable in connection with the issuance and sale of such Bonds.

WHEREAS, the City of Indianapolis, Indiana a municipal corporation and political subdivision duly organized and validly existing under the laws of the State of Indiana is authorized and empowered, by virtue of the laws of the State of Indiana, including without limitation, the Act, as hereinafter defined, to (a) issue its revenue bonds for the purpose of defraying the cost of acquiring, constructing, improving and equipping a facility which constitutes an "economic development facility" within the meaning of the Act, (b) enter into a loan agreement and thereby provide for revenues sufficient to pay the principal of an interest and any premium on such revenue bonds, (c) refund the Series 1982 Bonds as hereinafter defined, (d) secure such revenue bonds by a trust indenture, as provided herein, (e) enter into a bond purchase agreement and to provide for the terms and conditions for the sale of such revenue bonds, and (f) pass this ordinance to authorize the execution and delivery of the Purchase Agreement, the Agreement, the Indenture and the Refunding Agreement (all as hereinafter defined) as well as such other documents and instruments as are necessary or desirable to effect the issuance and sale of the Refunding Bonds (as hereinafter defined); now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Definitions. In addition to the words and terms defined elsewhere in this Ordinance, including without limitation, the form Refunding Bond attached hereto as Exhibit A, unless the context or use clearly indicates another meaning or intent:

"Act" means Title 36, Article 7, Chapter 12 of the Indiana Code, as amended.

"Administrative and Expense Fund" means the Expense Fund created in Section 5.01 of the Indenture.

"Agreement" means the Loan Agreement, dated as of even date with the Indenture, between the Issuer and the Company, as amended or supplemented from time to time.

"Authorized Official" means the Mayor of the Issuer.

"Bond Fund" means the Bond Fund created in Section 5.04 of the Indenture.

"Bond Legislation" means this ordinance providing for their issuance and approving the Agreement, the Indenture, the Refunding Agreement and related matters as amended or supplemented from time to time.

"Bonds" means the Refunding Bonds.

"Clerk" means the Clerk of the Issuer.

"Code" means the Internal Revenue Code of 1954, as amended. References to the Code and Sections thereof include relevant applicable regulations and proposed regulations thereunder and any successor provisions to those Sections, regulations or proposed regulations.

"Company" means Yellow Freight System, Inc., a corporation duly organized existing and qualified to transact business in the State, and its lawful successors and assigns, to the extent permitted by the Agreement.

"Holder" or "Holder of a Bond" means the person in whose name a Bond is registered on the Bond Register for which provision is made in Section 3.06 of the Indenture.

"Indenture" means the Trust Indenture, dated as of January 15, 1985, between the Issuer and the Trustee, as amended or supplemented from time to time.

"Interest Payment Date" means each date set forth as such in the Indenture and in the form of Refunding Bond attached as Exhibit A to this Bond Legislation and the Indenture.

"Issuer" means the City of Indianapolis, Indiana, a municipal corporation and political subdivision of the State.

"Legislative Authority" means the City-County Council of the Issuer.

"Letter of Credit" means the irrevocable Letter of Credit issued by the Letter of Credit Bank contemporaneously with the issuance of the Refunding Bonds, any renewal thereof or any Alternate Letter of Credit as defined in the Agreement.

"Letter of Credit Agreement" means the Letter of Credit Reimbursement Agreement dated as of January 15, 1985, between the Letter of Credit Bank and the Company.

"Letter of Credit Bank" means The Chase Manhattan Bank, N.A., and any successors as Letter of Credit Bank under the Letter of Credit Agreement as from time to time approved by the Trustee in accordance with Section 3.7 of the Agreement.

"Loan" means the loan by the Issuer to the Company of the proceeds received from the sale of the Bonds.

"Loan Payments" means the amounts required to be paid by the Company in repayment of the Loan pursuant to Section 4.1 of the Agreement.

"Notes" means the Refunding Note.

"Original Purchaser" means as to the Refunding Bonds, Thornton, Farish & Gauntt, Inc., Montgomery, Alabama.

"Person" or words importing persons mean firms, associations, partnerships (including without limitation, general and limited partnerships), joint ventures, societies, estates, trusts, corporations, public or governmental bodies, other legal entities and natural persons.

"Project" means, collectively, the real estate at the time comprising the Project Site, and the real and personal property at the time comprising the Project Facilities, each as defined in the Agreement, together comprising a facility to be used for the Project Purposes.

"Project Purposes" means acquiring and constructing real and personal property comprising a motor freight terminal and related purposes, or any other use which may be permitted under the Agreement.

"Purchase Agreement" means the Bond Purchase Agreement, dated the date of passage of this Bond Legislation, among the Issuer, the Company and the Original Purchaser.

"Refunding Account" means the trust fund created as a separate account by Section 5.01 of the Indenture for the deposit of the Refunding Account Payment.

"Refunding Account Payment" means an amount equal to the principal of the Series 1982 Bonds as of the date of delivery of the Refunding Bonds to the Original Purchaser.

"Refunding Agreement" means the Refunding Agreement by and among the Issuer, the Company and the Trustee, pursuant to which the moneys, including the earnings from any investment thereof, in the Refunding Account will be invested and applied.

"Refunding Bonds" means the \$6,000,000 Economic Development Refunding Revenue Bonds (Yellow Freight System, Inc. Project) of the Issuer authorized in Section 3 hereof and Section 2.02 of the Indenture.

"Refunding Note" means the non-negotiable promissory note of the Company, dated as of even date with the Refunding Bonds initially issued, in the form attached to the Agreement as Exhibit A and in the principal amount of \$6,000,000 evidencing the obligation of the Company to make Loan Payments.

"Revenues" means (a) the Loan Payments, (b) all other moneys received or to be received by the Issuer or the Trustee in respect of repayment of the Loan, including without limitation, moneys and investments in the Bond Fund (other than amounts which represent payments made with respect to the purchase of the Bonds

pursuant to Section 4.02 of the Indenture and any other payments to the extent they are made by drawings under the Letter of Credit and any income or proceeds from the investment of any thereof) (c) any moneys and investments in the Administrative and Expense Fund, and (d) all income and profit from the investment of the foregoing moneys.

"Series 1982 Bonds" means the Issuer's Economic Development First Mortgage Revenue Bonds, Series 1982 (Yellow Freight System, Inc. Project), dated March 1, 1982 in the aggregate principal amount of \$6,000,000.

"State" means the State of Indiana.

"Supplemental Indenture" means any indenture supplemental to the Indenture entered into between the Issuer and the Trustee in accordance with Article VIII of the Indenture.

"Thornton" shall mean Thornton, Farish, & Gauntt, Inc., Montgomery, Alabama and its successors and assigns.

"Trustee" means The Indiana National Bank, Indianapolis, Indiana, until a successor Trustee shall have become such pursuant to the applicable provisions of the Indenture, and thereafter "Trustee" shall mean the successor Trustee.

The captions and headings in this Bond Legislation are solely for convenience of reference and do not define, limit or describe the scope or intent of any provisions or Sections of this Bond Legislation.

SECTION 2. Determinations by Legislative Authority. This Legislative Authority determined that (a) the promotion of diversification of economic development and job opportunities in and near the Issuer, and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; (b) it is in the public interest that the Indianapolis Economic Development Commission and the Issuer take such action as they lawfully may to encourage diversification of industry and promotion of job opportunities in and near the Issuer; (c) the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$6,000,000 under the Act for the purpose of lending the proceeds of such financing to the Company for the refunding of the Series 1982 Bonds will serve the public purposes referred to above, will be of benefit to the Issuer and will be in accordance with the Act; (d) the refunding of the Series 1982 Bonds and the provision of permanent financing of such costs will require the issuance, sale and delivery of the Bonds in the aggregate principal amount of \$6,000,000 which shall be payable and secured as provided herein and in the Agreement and the Indenture; and (e) following reasonable notice, and prior to the adoption of this Bond Legislation, a public hearing was held by the Indianapolis Economic Development Commission with respect to the issuance of the Refunding Bonds, as required by Section 103(k) of the Code.

SECTION 3. Authorization of Refunding Bonds. This Legislative Authority determines it to be necessary to, and the Issuer shall, issue, sell and deliver, as provided and authorized herein and in the Indenture and pursuant to the authority of the Act, \$6,000,000 principal amount of Refunding Bonds for the purpose of making a loan to assist the Company in refunding the Series 1982 Bonds, the proceeds of which were used in the financing of costs of the Project for the Project Purposes. The Refunding Bonds shall be designated "Economic Development Refunding Revenue Bonds (Yellow Freight System, Inc. Project)".

SECTION 4. Terms and Provisions of Refunding Bonds.

(a) **Generally.** The Refunding Bonds (i) shall be issued, unless a Supplemental Indenture shall have been executed and delivered pursuant to Section 8.02(h) of the Indenture, only in fully registered form, substantially as set forth in Exhibit A to this Bond Legislation and the Indenture; (ii) shall be exchangeable for Refunding Bonds of authorized denominations, as provided in the Indenture; (iii) shall be numbered in such manner as determined by the Trustee as to distinguish each Refunding Bond from any other Refunding Bond; (iv) prior to the Conversion Date shall be in the denominations of \$150,000 and any integral multiple of \$5,000 in excess of \$150,000 and on or after

the Conversion Date shall be in the denominations of \$5,000 and any integral multiple thereof; (v) shall be subject to optional and mandatory redemption in the amounts, upon the conditions, and at the times and prices set forth in the Indenture; and (vi) shall be dated as of January 15, 1985. Each Refunding Bond shall bear interest, in accordance with the Indenture, from the most recent date to which interest has been paid or duly provided for or, if no interest has been paid or duly provided for, from its date.

(b) Interest Rate and Principal Maturities. The form of the Refunding Bond attached to this Bond Legislation is incorporated herein by reference and made a part hereof as fully as if set forth in full herein. The Refunding Bonds shall bear interest at the rate or rates set forth in Exhibit A attached to this Bond Legislation and provided for in the Indenture, payable on each Interest Payment Date and shall mature on January 15, 2010.

Principal of and interest and any premium on the Refunding Bonds shall be payable as provided in the Indenture, in each instance, without deduction for the services of any paying agent. In addition, prior to the Conversion Date (as defined in Exhibit A attached hereto), the Letter of Credit Bank has issued the Letter of Credit or replacement letter in favor of the Trustee, for the account of the Company, obligating the Letter of Credit Bank to pay to the Trustee during the periods described therein and upon the terms set forth therein, the amounts described therein for the purposes of making certain payments on or with respect to the Bonds.

(c) Execution. The Refunding Bonds shall be executed in their official capacities by the Mayor and attested by the Clerk of the Legislative Authority (provided that either or both of such signatures may be a facsimiles) and shall bear the seal or a facsimile of the seal of the Issuer; the Refunding Bonds shall be executed and delivered on or about February 25, 1985, and in any event within 120 days after passage of this Bond Legislation.

(d) Medium and Place of Payment. The Bonds are payable in law of the United States of America at, subject to variation by Agreement with any Bondholder, the principal corporate trust office of the Trustee in Indianapolis, Indiana, except that, unless otherwise agreed to as permitted by Section 3.09 of the Indenture, interest on Bonds shall be paid by check or draft mailed to each registered owner thereof at his address as it appears on the registration books of the Issuer.

SECTION 5. Sale of Refunding Bonds. The Refunding Bonds are sold and awarded to the Original Purchaser, in accordance with the Purchase Agreement, at the purchase price stated in paragraph 1 of the Purchase Agreement. The Issuer approves the use and distribution of an official statement, a copy of which has been provided to the Legislative Authority; provided, however, that the Issuer has not confirmed, and makes no representation about and assumes no responsibility for, the accuracy or completeness of any information contained in the Official Statement.

The Authorized Official and the Clerk, as appropriate, are authorized and directed to make the necessary arrangements with the Original Purchaser to establish the date, location, procedure and conditions for the delivery of the Refunding Bonds to the Original Purchaser and to take all steps necessary to effect due execution, authentication and delivery to the Original Purchaser of the Refunding Bonds under the terms of this Bond Legislation, the Indenture and the Purchase Agreement.

It is determined by this Legislative Authority that the price for and the terms of the Refunding Bonds and the sale thereof, all as provided in this Bond Legislation, the Purchase Agreement and the Indenture, are in the best interests of the Issuer and are in compliance with all legal requirements.

SECTION 6. Allocation of Proceeds of Refunding Bonds. The proceeds from the sale of the Refunding Bonds (including without limitation, any accrued interest thereon) shall be allocated, deposited and credited as follows:

- (i) to the Bond Fund created by the Indenture, an accrued interest paid by the Original Purchaser; and
- (ii) to the Refunding Account created by the Indenture, the Refunding Account Payment; and
- (iii) to the Administrative and Expense Fund created by the Indenture, the balance of the proceeds of the Refunding Bonds.

SECTION 7. Security for the Bonds. To the extent provided in, and except as otherwise permitted under the Indenture, the Bonds shall be limited obligations of the Issuer and shall be equally and ratably payable solely from the Revenues and shall be secured by an assignment of the Revenues and by the Indenture and prior to the Conversion Date to the extent provided therein, from moneys drawn on the Letter of Credit. In addition, the Bonds shall be secured by the Notes given by the Company to the Trustee pursuant to the Agreement.

Anything in this Ordinance, the Indenture, the Refunding Purchase Agreement or the Refunding Bonds to the contrary notwithstanding, neither this Ordinance, the Refunding Bonds, the Indenture, the Purchase Agreement nor the Agreement shall constitute an indebtedness or a charge against the general credit of the Issuer, and the Refunding Bonds shall contain on the face thereof a statement to that effect and that the Refunding Bonds are not in any respect general obligations of the Issuer or payable in any manner from taxes; provided, that nothing herein shall be deemed to prohibit the Issuer, on its own volition, from using to the extent lawfully authorized to do so any other resources from the fulfillment of any of the terms, conditions or obligations of the Indenture, this Ordinance or any of the Refunding Bonds but it may not be compelled to do so by any means or in any manner.

SECTION 8. Federal Tax Election. This Legislative Authority elects to have the limitation on capital expenditures specified in Section 103(b)(6)(D) of the Code applied to the Refunding Bonds. The execution and filing by the Authorized Official with the Internal Revenue Service of a statement regarding that election, as provided in the Code and the applicable rules and regulations of the Internal Revenue Service, is authorized, directed and approved.

SECTION 9. Covenants and Agreements of Issuer. In addition to the other covenants and agreements of the Issuer in this Bond Legislation, the Purchase Agreement and the Indenture, the Issuer covenants and agrees that:

(a) Arbitrage Provisions and Issuer Information Return. This Issuer will restrict the use of the proceeds of the Refunding Bonds in the manner and to the extent, if any, which may be necessary so that the Refunding Bonds will not constitute arbitrage bonds under Section 103(c) of the Code, after taking into account reasonable expectations at the time of the delivery of and payment for the Refunding Bonds.

To those ends, the Authorized Official and any other officer having responsibility for issuing the Refunding Bonds is authorized and directed, alone or in conjunction with any other officer, employee or agent of or consultant to the Issuer, or with the Company or any officer, employee or agent of or consultant to the Company, to give:

- (i) an appropriate certificate of the Issuer, for inclusion in the transcript of proceedings for the Project Bonds, setting forth the reasonable expectations of the Issuer regarding the amount and use of the proceeds of the Refunding Bonds and the facts, estimates and circumstances on which those expectations are based, that certificate to be premised on the reasonable expectations and the facts, estimates and circumstances on which those expectations are based, as provided by the Company, all as of the date of delivery of and payment for the Refunding Bonds; and
- (ii) the statement setting forth the information required by Section 103(l) of the Code, which shall be based on the relevant information provided by the Company.

(b) Transcript of Proceedings. The Clerk, or other appropriate officer of the Issuer, shall furnish to the Original Purchaser a true transcript of proceedings, certified by the Clerk or other officer, of (i) all proceedings had with reference to the issuance of the Refunding Bonds and (ii) any other information from the records of the Issuer which may be necessary or appropriate to determine the regularity and validity of the issuance of the Refunding Bonds.

SECTION 10. Indenture, Agreement, Refunding Agreement and Purchase Agreement.

To provide for the issuance and sale of the Refunding Bonds and the consummation of the transactions contemplated therein, the Authorized Official and the Clerk are authorized and directed, for and in the name and on behalf of the Issuer, to execute and attest, respectively, and deliver the Indenture, the Agreement, the Refunding Agreement and the Purchase Agreement in substantially the forms submitted to this Legislative Authority. Those instruments are approved with changes therein not inconsistent with this Bond Legislation and not substantially adverse to the Issuer and which are permitted by the Act and shall be approved by the officers executing the Indenture, the Agreement and the Purchase Agreement without further approval of the Indianapolis Economic Development Commission or this Legislative Authority if such changes do not affect terms set forth in I.C. 36-7-12-27(a)(1) through (a)(11); provided, that the approval of those changes by those officers, and their character as not being substantially adverse to the Issuer, shall be evidenced conclusively by their execution of those instruments. Two copies of the Trust Indenture, Official Statement, Remarketing and Indexing Agency Agreement, Bond Purchase Agreement, Depositary Agreement, Refunding Agreement and form of the Bonds are on file in the office of the Clerk of the Legislative Authority for public inspection.

SECTION 11. Other Documents. The Authorized Official and the Clerk, as may be appropriate or requested by the Original Purchaser, are authorized and directed to execute any certifications, financing statements, assignments and instruments which are necessary or appropriate to perfect the assignments set forth in the Indenture and to consummate the transactions contemplated in this Bond Legislation, the Indenture, the Agreement, the Refunding Agreement and the Purchase Agreement.

SECTION 12. Compliance with Open Meeting Requirements. It is hereby found and determined that all formal actions of this Legislative Authority concerning and relating to the passage of this Ordinance were taken in an open meeting of this Legislative Authority, and that all deliberations of this Legislative Authority and of any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Title 5, Article 14, Chapter 1.5 of the Indiana Code.

SECTION 13. Severability. If any paragraph, clause, or provision of this Ordinance, except Section 7 hereof, is judicially adjudged invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining paragraphs, clauses or provisions of this Ordinance, it being the intention that the various provisions hereof are severable.

SECTION 14. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 30, 1985. This proposal amends the Code concerning the Mayor's authority to appoint a designee to serve on the pension boards. Councillor Coughenour explained that due to conflicting schedules of the Mayor and the Deputy Mayors it has been difficult to get either the Mayor or a Deputy Mayor to attend the pension board hearings. The Administration Committee

amended the proposal to add the language "or other qualified person" and deleted the additional language of subsection (b). The Committee recommended Proposal No. 30, 1985, Do Pass As Amended by a vote of 5-0. Councillor Coughenour moved, seconded by Councillor Holmes for adoption. Proposal No. 30, 1985, as amended, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

3 NOT VOTING: *Cottingham, Durnil, Schneider*

Proposal No. 30, 1985, as amended, was retitled GENERAL ORDINANCE NO. 11, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 11, 1985

A GENERAL ORDINANCE concerning the Mayor's authority to appoint a designee to serve on the pension boards.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Section 2-223 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by inserting the language underscored to read as follows:

Sec. 2-223. Authority to delegate deputy mayor to serve on boards of trustees of police and fire pension funds.

The mayor is hereby authorized to delegate to a deputy mayor or other qualified person his power to serve as president of the board of trustees of the police pension fund and as a member of the board of trustees of the fire pension fund, in any instance in which the mayor is unable to attend a meeting or is unable to serve for any other reason.

SECTION 2. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if, such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 33, 1985. This proposal changes the personnel compensation schedule of Superior Court - Civil Division - Room 1. Councillor Dowden stated that Proposal No. 33, increases the position of the Court's Legal Research Assistant. This person supervises the bailiffs and it will bring this position more in

line with similar positions in other courts. The Public Safety and Criminal Justice Committee on January 30, 1985, recommended Proposal No. 33, 1985, Do Pass by a vote of 9-0. Councillor Dowden moved, seconded by Councillor Hawkins for adoption. Proposal No. 33, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS
1 NOT VOTING: Cottingham

Proposal No. 33, 1985, was retitled FISCAL ORDINANCE NO. 8, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 8, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the Marion County Superior Court, Civil Division - Room 1.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 2.02 (b)(14) of City-County Fiscal Ordinance No. 65, 1984, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(14) SUPERIOR COURT - CIVIL DIVISION - ROOM ONE - Dept. 66

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judge	1	17,153	17,153
Court Reporter	1	20,032	20,032
Bailiffs	2	15,225	30,450 29,115
Legal Research Assistant	1	15,135 16,693	15,135 16,693
Court Commissioner	1	13,923	13,923
Temporary			<u>-0-</u>
TOTAL	6		96,916

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 35, 1985. This proposal changes the personnel compensation schedule of Superior Court - Juvenile Division. Councillor Dowden stated that this proposal will increase the salaries of two full-time referees of the Juvenile

Court from \$31,648 to \$36,193 to comply with a recently changed state law. The Public Safety and Criminal Justice Committee on January 30, 1985, recommended Proposal No. 35, 1985, Do Pass by a vote of 9-0. Councillor Dowden moved, seconded by Councillor Giffin for adoption. Proposal No. 35, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Cottingham

Proposal No. 35, 1985, was retitled FISCAL ORDINANCE NO. 9, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 9, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the Marion County Superior Court - Juvenile Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 2.02 (b)(4) of City-County Fiscal Ordinance No. 65, 1984, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(4) SUPERIOR COURT - JUVENILE DIVISION - Dept. 65

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judge	1	17,153	17,153
Administrators	3	36,698	87,231
Managers	14	25,643	295,580
Secretaries	4	13,734	49,730
Computer Operators	4	15,000	52,087
Clerk-Typists	15	12,668	109,923
Referees	4	31,648 36,193	86,948 106,038
Court Reporters	6	21,708	125,181
Bailiffs	7	16,024	92,245
Probation	61	23,504	909,337
Professional Staff	5	29,226	104,932
Maintenance Staff	8	13,009	69,798
Jury Per Diem			8,160
Temporary Help			12,852
Vacancy Factor		(17,701,251)	<u>(179,341)</u>
TOTAL	132		1,860,906

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 39, 1985. This proposal increases the fee of the Municipal Court Alcohol and Drug Services Program. Councillor Dowden stated that Proposal No. 39, 1985, actually changes the allocation of costs within the total by increasing the Alcohol and Drug Services court cost from \$3.00 to \$5.00. This will allow the Municipal Court to keep \$2.00 more dollars, which was going to the State, for this program. The Public Safety and Criminal Justice Committee on January 30, 1985, recommended Proposal No. 39, 1985, Do Pass by a vote of 8-0. Councillor Dowden moved, seconded by Councillor Howard for adoption. Proposal No. 39, 1985, was adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

1 NOT VOTING: *Cottingham*

Proposal No. 39, 1985, was retitled GENERAL RESOLUTION NO. 3, 1985, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 3, 1985

A GENERAL RESOLUTION authorizing the continued operation of the Municipal Court Alcohol and Drug Services Program.

WHEREAS, the Municipal Court of Marion County has long recognized that the consequences of alcohol and drug abuse are interrelated with antisocial behavior and that early intervention in the form of treatment is likely to decrease an abuser's tendency to engage in antisocial behavior; and

WHEREAS, the State of Indiana by I.C. 16-13-6.1-30 authorizes a court having misdemeanor jurisdiction to establish an alcohol and drug services program if approved by the legislative and appropriating body from which the court derives its funds; and

WHEREAS, the Municipal Court of Marion County has established and is operating such a program; and

WHEREAS, the State of Indiana by I.C. 16-13-6.1-31 authorizes a court which establishes an alcohol and drug services program to set an additional fee of not less than One Dollar (\$1) or more than Five Dollars (\$5) which shall be added as a part of the costs in all cases involving violations of state law or city ordinances filed in the county; and

WHEREAS, the Municipal Court of Marion County petitions this Council for approval to operate an Alcohol and Drug Services Program and to set a fee of Five Dollars (\$5) which shall be added as a part of the costs in all cases involving violations of state law or city ordinances filed in Marion County and will be used to pay the costs of the Alcohol and Drug Services Program; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Municipal Court of Marion County is hereby authorized to operate an Alcohol and Drug Services Program in accordance with I.C. 16-13-6.1 and to set a fee of Five Dollars (\$5) which shall be added as a part of the costs in all cases involving violations of state law or city ordinances filed in Marion County.

SECTION 2. The Presiding Judge of the Municipal Court of Marion County shall be responsible for implementing this Program.

SECTION 3. The Clerk of the Circuit Court of Marion County shall assess the fee of Five Dollars (\$5) and deposit it in the Alcohol and Drug Services Program Fund.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 41, 1985. This proposal establishes a loading zone on a portion of Market Street. Councillor Gilmer stated that Proposal No. 41, is fulfilling a commitment that was made to the symphony people to encourage them to relocate at the Circle Theatre. The Transportation Committee did make some technical changes to the proposal on February 6, 1985, and recommended it Do Pass As Amended 5-0-1. Councillor Gilmer moved, seconded by Councillor Howard for adoption. Proposal No. 41, 1985, as amended, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, McGrath, Miller, Nickell, Page, Rhodes, Schneider, Shaw, Stewart, Strader, West*
1 NAY: *Rader*
2 NOT VOTING: *Journey, SerVaas*

Proposal No. 41, 1985, as amended, was retitled GENERAL ORDINANCE NO. 12, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 12, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-331, Passenger and materials loading zones, be and the same is hereby amended by the addition of the following, to wit:

Monument Circle (southeast quadrant), from a point 100 feet south of Market Street to a point 161 feet south of Market Street.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 31, 1985. This proposal transfers \$122,491 for the Marion County Healthcare Center to change the pharmacy and occupational therapy functions from personal services to a contractual agreement. Councillor Cottingham explained that the Healthcare Center has decided that a contract with an independent pharmacist who hires the people to work at the pharmacy will be more suitable than an in-house pharmacy. The County and Townships Committee on February 5, 1985, recommended Proposal No. 31, 1985, Do Pass by a vote of 6-0. Councillor Cottingham moved, seconded by Councillor Giffin for adoption. Proposal No. 31, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

5 NOT VOTING: *Borst, Clark, Dowden, Durnil, Howard*

Proposal No. 31, 1985, was retitled FISCAL ORDINANCE NO. 10, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 10, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating One Hundred Twenty-two Thousand Four Hundred Ninety-one Dollars (\$122,491) in the County General Fund for purposes of the Marion County Healthcare Center and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (c)(3) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of the pharmacy and occupational therapy functions from personal services to a contractual agreement.

SECTION 2. The sum of One Hundred Twenty-two Thousand Four Hundred Ninety-one Dollars (\$122,491) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:
MARION COUNTY HEALTHCARE CENTER COUNTY GENERAL FUND

3. Other Services & Charges	<u>\$122,491</u>
TOTAL INCREASE	<u>\$122,491</u>

SECTION 4. The said increased appropriation is funded by the following reductions:
MARION COUNTY HEALTHCARE CENTER COUNTY GENERAL FUND

1. Personal Services	<u>\$122,491</u>
TOTAL REDUCTION	<u>\$122,491</u>

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(3) MARION COUNTY HEALTHCARE CENTER - Dept. 21

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Administrator	1	39,399	39,399
Director of Nursing	1	32,014	32,014
Exec. Housekeeper/Laundry Manager	1	28,076	28,076
Registered Pharmacist	2 <u>0</u>	27,755 <u>0</u>	72,496 <u>1,236</u>
Business Manager	1	26,000	26,000
Coord. of Staff Develop.	1	24,641	24,641
Registered Dietician	1	24,641	24,641
Human Service Workers	2	24,440	45,385
Physical Plant Technicians	13	24,278	209,512
Chaplain	1	23,049	23,049
Registered Occup. Therapist	1 <u>0</u>	22,752 <u>0</u>	22,752 <u>1,055</u>
Directors of Food Service	2	19,906	38,820
Clinical Nurses	44	19,906	703,918
Office Technicians	25 <u>22</u>	17,617	229,977 <u>267,911</u>
Ancillary Technicians	4	15,318	47,925
Ancillary Assistants	6	14,937	83,245
Grooming Assistants	2	14,560	17,399
Supervisors	6	13,632	74,176
Activity Workers	7	12,747	70,912
Housekeeping/Laundry Asst.	34	10,968	317,798
Intern	1	10,640	10,640
Cooks	5	10,190	50,296
Nursing Assistants	78	9,309	726,102
Dietary Assistants	25	9,309	225,291
Dentist	1	5,134	5,134
Podiatrist	1	4,482	4,482
Board Per Diem			2,100
Vacancy Factor	<u> </u>		<u>(402,094)</u>
TOTAL	<u>1267 260</u>	<u>2,821,154 2,699,063</u>	

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL SERVICE DISTRICT COUNCILS

There being no business before any of the Special Service District Councils, none of the Special Service District Councils convened.

ANNOUNCEMENTS AND ADJOURNMENT

Councillor Cottingham announced the newly elected board members for the Marion County Healthcare Center. They are Everett Newlon, Evelyn Sayers, Arthur Turner and Larry Ryan.

Councillor Strader brought to the Council's attention that it is against the law to drive over or park on the curbs and sidewalks. He does not seem to be able to get the police to enforce unless they see the violation occur. President SerVaas asked the Public Safety and Criminal Justice Committee to investigate this problem.

There being no further business and upon motion duly made and seconded, the meeting adjourned at 8:54 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 11th day of February, 1985.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.


PRESIDENT

ATTEST


CLERK OF THE CITY-COUNTY COUNCIL

(SEAL)



**MINUTES OF THE CITY-COUNTY COUNCIL
AND SPECIAL SERVICE DISTRICT COUNCILS
OF INDIANAPOLIS, MARION COUNTY, INDIANA**

REGULAR MEETINGS - MONDAY, FEBRUARY 25, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:14 p.m., on Monday, February 25, 1985, with Councillor SerVaas presiding.

The meeting was opened with a prayer and the Pledge of Allegiance to the Flag by Councillor Philip Borst.

ROLL CALL

Councillor SerVaas instructed the Clerk to take the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

ABSENT: Howard

Twenty-eight members being present, he announced a quorum was present.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Gilmer introduced to constituents of his Mr. Jerry Roland, who serves as one of the Council's appoints to the Metropolitan Development Commission and his son Paul Roland. Councillor Miller pointed out to the Council that today was Councillor Gilmer's birthday and wished him a happy birthday.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

**TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE,
FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT
COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,
INDIANA:**

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, February 25, 1985, at 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

s/Beurt SerVaas, President
City-County Council

February 12, 1985

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on February 14, 1985, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 55, 56, 59, and 60, 1985, to be held on Monday, February 25, 1985, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

February 17, 1985

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 3, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Two Hundred Seventy-four Thousand Five Hundred Three Dollars (\$274,503) in the

State and Federal Grant Fund for purposes of the Marion County Community Corrections Advisory Board and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 4, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Fifty-eight Thousand Seven Hundred Ninety-four Dollars (\$58,794) in the County General Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 5, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Three Hundred Forty-two Thousand Two Hundred Seventy Dollars (\$342,270) in the State and Federal Grant Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 6, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Two Hundred Ninety-two Thousand Eight Hundred Twenty-two Dollars (\$292,822) in the State and Federal Grant Fund for purposes of the Marion County Prosecutor - Alternative Challenge Program and reducing certain other appropriations for the Marion County Auditor in the County General Fund and the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 7, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the Lawrence Township Assessor.

FISCAL ORDINANCE NO. 8, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the Marion County Superior Court, Civil Division - Room 1.

FISCAL ORDINANCE NO. 9, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the Marion County Superior Court - Juvenile Division.

FISCAL ORDINANCE NO. 10, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating One Hundred Twenty-two Thousand Four Hundred Ninety-one Dollars (\$122,491) in the County General Fund for purposes of the Marion County Healthcare Center and reducing certain other appropriations for that division.

GENERAL ORDINANCE NO. 11, 1985, concerning the Mayor's authority to appoint a designee to serve on the pension boards.

GENERAL ORDINANCE NO. 12, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

SPECIAL ORDINANCE NO. 5, 1985, authorizing the issuance and sale of \$6,000,000 of the City of Indianapolis, Indiana Economic Development Refunding Revenue Bonds (Yellow Freight System, Inc. Project) for the purpose of making a loan to provide funds to Yellow Freight System, Inc. for the permanent financing of costs of

an "Economic Development Facility" within the meaning of Title 36, Article 7, Chapter 12 of the Indiana Code as amended, and authorizing the execution and delivery of a Loan Agreement pertaining to the Project, a Trust Indenture securing the payment of the Bonds, a Refunding Agreement relating to such Bonds and the Issuer's Outstanding Bonds, a Bond Purchase Agreement pertaining to the sale of the bonds and such other documents and instruments as are necessary or desirable in connection with the issuance and sale of such Bonds.

GENERAL RESOLUTION NO. 2, 1985, amending and approving cart regulations promulgated by the city controller.

GENERAL RESOLUTION NO. 3, 1985, authorizing the continued operation of the Municipal Court Alcohol and Drug Services Program.

SPECIAL RESOLUTION NO. 10, 1985, approving certain projects for funds from Community Development Grant Funds.

Respectfully submitted,

s/William H. Hudnut, III

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS --

PROPOSAL NO. 103, 1985. This proposal appoints Carlton Curry to the Audit Committee. Councillor Borst stated that as the past appointee to this committee Councillor Curry would do a fine job and find it very interesting. Councillor Borst moved, seconded by Councillor Miller for adoption. Proposal No. 103, 1985, was adopted by unanimous voice vote and retitled COUNCIL RESOLUTION NO. 7, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 7, 1985

A COUNCIL RESOLUTION appointing Carlton Curry to the Audit Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Audit Committee the Council appoints:

CARLTON CURRY

SECTION 2. The foregoing appointment shall be for a term of one (1) year beginning upon passage of this proposal, at the pleasure of the Council, and until his respective successor is appointed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 107, 1985. This proposal expresses appreciation to the United States Gymnastic Federation for their help in Indianapolis' efforts to become the Amateur Sports Capital of the United States. Councillor Borst introduced Mr. Mike Jackie, Executive Director of the United States Gymnastic Foundation and also a member of the International Gymnastics Board who accepted the resolution and thanked the Council for their support and encouragement. Councillor Borst moved, seconded by Councillor Curry for adoption. Proposal No. 104, 1985, was adopted by unanimous voice vote and retitled SPECIAL RESOLUTION NO. 11, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 11, 1985

A SPECIAL RESOLUTION expresses appreciation to the United States Gymnastic Federation for their help in Indianapolis' efforts to become the Amateur Sports Capital of the United States.

WHEREAS, Indianapolis is making a strong run at the Amateur Sports Capital of the Country; and

WHEREAS, the United States Gymnastics Federation has made Indianapolis its home headquarters; and

WHEREAS, gymnasts from around the world will be competing in the United States most prestigious annual international gymnastics competition, the McDonald's/USGF American Cup on March 2 and 3, 1985 in Indianapolis, Indiana; and

WHEREAS, 1984 Olympic Gold Medalist and defending American Cup Champion, Mary Lou Retton will return along with other olympic medalists; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council expresses its appreciation for the United States Gymnastic Federation's role in Indianapolis' amateur sports movement.

SECTION 2. The City-County Council is honored that the United States Gymnastic Federation moved the American Cup from New York City to Indianapolis, Indiana and hopes that we will become the permanent home for the prestigious American Cup.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 93, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending

Chapter 8½ of the Code concerning cable television”; and the President referred it to the Administration Committee.

PROPOSAL NO. 94, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: “A Proposal for a FISCAL ORDINANCE appropriating \$75,000 for the County Auditor to purchase voting machines”; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 95, 1985. Introduced by Councillor Durnil. The Clerk read the proposal entitled: “A Proposal for a FISCAL ORDINANCE appropriating \$360,000 for the Administration Division, Department of Parks and Recreation to improve park facilities at various locations”; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 96, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a FISCAL ORDINANCE appropriating \$6,167 for Criminal Division - Room V to fund a Grand Jury Bailiff”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 97, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a FISCAL ORDINANCE appropriating \$12,781 for the Circuit Court for an additional bailiff to be reimbursed by Title IV-D Funds”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 98, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE appropriating \$308,909 for the Police Division to purchase vehicles”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 99, 1985. Introduced by Councillor West. The Clerk read the proposal entitled: “A Proposal for a FISCAL ORDINANCE appropriating \$390,000 for the Office of the Director, Department of Public Works for engineering expenses for sanitary sewer construction projects”; and the President referred it to the Public Works Committee.

PROPOSAL NO. 100, 1985. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$780,000 for the Flood Control Division for the Design Phase of various projects to be completed prior to the issuance and sale of a bond issue"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 101, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$720,000 for the Department of Transportation for the repair and replacement of bridges and widening of street intersections"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 102, 1985. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishes a loading zone on a portion of Lockerbie Street"; and the President referred it to the Transportation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 82, 1985. This is a special ordinance superceding and repealing Special Ordinance No. 57, 1984, and authorizing the issuance of \$4,450,000 Economic Development Revenue Bonds for Turnverein Partners, an Indiana General Partnership. Leo Stenz is one of the general partners. Councillor Schneider explained that the bonds were not issued before the end of 1984. The date of the new Bond documents will be changed from November 1, 1984, to February 1, 1985, and the final principal maturity date will change from November 1, 1995, to March 1, 1996. The interest rate will be 75% of Indiana National Bank's prime rate of interest. The former interest rate was 9.75% until September 30, 1989 and 75% of INB's prime rate thereafter. The Economic Development Committee on February 20, 1985 recommended Proposal No. 82, 1985, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 82, 1985, was adopted on the following roll call vote; viz:

22 AYES: *Borst, Boyd, Bradley, Campbell, Coughenour, Crowe, Curry, Durnil, Giffin, Hawkins, Holmes, Journey, McGrath, Nickell, Page, Rader, Schneider,*

SerVaas, Shaw, Stewart, Strader, West

NO NAYS

7 NOT VOTING: Clark, Cottingham, Dowden, Gilmer, Howard, Miller, Rhodes

Proposal No. 82, 1985, was retitled SPECIAL ORDINANCE NO. 6, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 6, 1985

A SPECIAL ORDINANCE superceding and repealing City-County Special Ordinance No. 57, 1984, and authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bond (Turnverein Partners Project)" in the principal amount of Four Million Four Hundred Fifty Thousand Dollars (\$4,450,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Turnverein Partners, Ltd., a partnership to be formed or another partnership or entity in which F. Lawrence Woods and Leo Stenz will be general partners and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, this City-County Council on October 8, 1984 adopted City-County Special Ordinance No. 57, 1984 authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bond (Turnverein Partners Project)" in the principle amount of Four Million Four Hundred Fifty Thousand Dollars (\$4,450,000) and approving and authorizing other actions in respect thereto; and

WHEREAS, the authorized Bond has not been executed or delivered and the Company has requested certain modifications to the proposed financing terms including a later maturity date and the proposed purchaser of the Bond has consented to the proposed changes; and

WHEREAS, new financing documents have been prepared reflecting the proposed changes; and

WHEREAS, the Indianapolis Economic Development Commission, on February 20, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Turnverein Partners, an Indiana General Partnership (the "Company") consisting of the acquisition, construction, renovation, installation and equipping of an existing building containing approximately 43,709 square feet plus construction of an approximately 10,000 square foot addition thereto and the machinery and equipment to be installed therein plus certain site improvements to be located at 902 Meridian Street, Indianapolis, Indiana on approximately 0.6 acres of land which will be used for multi-family residential rental housing containing approximately 56 units (the "Project") which will be initially owned and operated by Turnverein Partners, an Indiana General Partnership complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, Bond Purchase Agreement, Guaranty Agreements, Land Use Restriction Agreement, Promissory Note and the form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond (Turnverein Partners Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement consisting of the acquisition, construction, renovation, installation and equipping of an existing building containing approximately 43,709 square feet plus construction of an approximately 10,000 square foot addition thereto and the machinery and equipment to be installed therein plus certain site improvements to be located at 902 Meridian Street, Indianapolis, Indiana on approximately 0.6 acres of land for multi-family residential rental housing containing approximately 56 units previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Turnverein Partners, an Indiana General Partnership for the purposes of financing the economic development facilities being acquired, constructed, renovated, installed and equipped or to be acquired, constructed, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Turnverein Partners, an Indiana General Partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, Bond Purchase Agreement, Guaranty Agreements, Land Use Restriction Agreement, Promissory Note and the form of the City of Indianapolis Economic Development First Mortgage Revenue Bond (Turnverein Partners Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Security Agreement, Bond Purchase Agreement, Guaranty Agreements, Promissory Note, Land Use Restriction Agreement, and the form of the City of Indianapolis Economic Development First Mortgage Revenue Bond (Turnverein Partners Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development First Mortgage Revenue Bond (Turnverein Partners Project) in the principal amount of Four Million Four Hundred Fifty Thousand Dollars (\$4,450,000) for the purpose of procuring funds to loan to Turnverein Partners, an Indiana General Partnership in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Turnverein Partners, an Indiana General Partnership on its Promissory Note in the principal amount of Four Million Four Hundred Fifty Thousand Dollars (\$4,450,000), which will be executed and delivered by Turnverein Partners, an Indiana General Partnership to evidence and secure said loan, and as otherwise provided in the above described Bond Purchase Agreement and Guaranty Agreements. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bond to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest equal to seventy-five percent (75%) of the prime rate quoted and announced by The Indiana National Bank, Indianapolis, Indiana, at its principal office from time to time and after payment of any principal installment is due, whether at maturity or

by acceleration at the rate per annum equal to the interest rate then in effect on the Bond, plus 2%, except that (i) the interest rate on the Series 1984 Bonds shall in no even exceed 30% per annum, (ii) in the event of a Determination of Taxability (as defined in the Loan Agreement) the Bond shall bear interest at the Taxable Rate (as defined in the Loan Agreement), and (iii) under certain circumstances, the Bond shall bear interest at the Adjusted Tax Exempt Rate as described in the Loan Agreement.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Bond Purchase Agreement, the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond (Turnverein Partners Project), Land Use Restriction Agreement and the Endorsement to the Promissory Note approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Bond Purchase Agreement. The Mayor and City Clerk may by their execution of the Loan Agreement, Mortgage and Security Agreement, Bond Purchase Agreement, Land Use Restriction Agreement, the Endorsement to the Promissory Note and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in the Promissory Note and Guaranty Agreements without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) (1) through (a) (11).

SECTION 6. The provisions of this ordinance and the Bond Purchase Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bond (Turnverein Partners Project) and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 7. Special Ordinance No. 57, 1984 is hereby superceded and repealed.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 83, 1985. This is a final bond ordinance authorizing the issuance of a \$350,000 Economic Development First Mortgage Revenue Bond Series 1985 for Cloverleaf Properties, an Indiana general partnership. Councillor Schneider stated that there were two inducement resolutions for this project: Special Resolution No. 28, 1984, in the amount of \$1,350,000, and Special Resolution No. 94, 1984, in the amount of \$400,000. Bonds were issued in 1984 in the amount of \$1,350,000 for the Project. The second inducement resolution was requested because the company experienced costs in excess of the previously estimated amounts for construction, etc. Indiana National Bank purchased the

original bonds and agreed to purchase the additional bonds. The project is the development of Cloverleaf's principal office and warehouse building located on Rockville Road, west of Country Club Road. Interest is payable monthly starting March 1, 1985. The interest rate to the amortization date is at 75% of INB's prime rate of interest. Amortization begins on the first day of the ninth month after construction starts. Thereafter, the interest rate is 9½%. On the fifth and tenth anniversary of the amortization date, the rate is "pegged" at 75% of INB's prime rate of interest plus 1½%, but in no event shall the resultant rate be less than 9½%. The principal is paid in monthly installments necessary for level amortization over 120 months commencing the second calendar month after the amortization date. The Economic Development Committee on February 20, 1985, recommended Proposal No. 83, 1985, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Cottingham for adoption. Proposal No. 83, 1985, was adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

1 NOT VOTING: *Howard*

Proposal No. 83, 1985, was retitled SPECIAL ORDINANCE NO. 7, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 7, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bond Series 1985 (Cloverleaf Properties Project)" in the principal amount of Three Hundred Fifty Thousand Dollars (\$350,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Cloverleaf Properties, an Indiana general partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the City has previously issued its Economic Development Revenue Bond, Series 1984 (Cloverleaf Properties Project) in the principal amount of One Million Three Hundred Fifty Thousand Dollars (\$1,350,000) to provide funds to finance the Project and it has now been determined that completion of the Project will require additional financing in the amount of Three Hundred Fifty Thousand Dollars (\$350,000); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on February 20, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of the completion of certain economic development facilities to be developed by Cloverleaf Properties, an Indiana general partnership (the "Company") consisting of the acquisition, construction, installation and equipping of a 36,100 square foot building including basement and the machinery and equipment to be installed therein plus certain site improvements to be located at 8305 Rockville Road (U.S. Rt. 36) on approximately 2.81 acres of land, Indianapolis, Indiana, which will be used by the Company for its central office and warehouse in its real estate development and construction business and for lease to several related companies of the Company, namely Cloverleaf Properties, Inc., Dominion Realty, Inc., BDA Corporation, Classic Insurance Company, First American Mortgage Corporation, and Foundation Investments, Inc. (the "Project") which will be initially owned and operated by Cloverleaf Properties, an Indiana general partnership through a lease of the Project to several related companies of the Company, namely Cloverleaf Properties, Inc., Dominion Realty, Inc., BDA Corporation, Classic Insurance Company, First American Mortgage Corporation, and Foundation Investments, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Amendment and Supplement to Bond Purchase and Loan Agreement, Promissory Note Series 1985, Amended and Restated Real Estate Mortgage and Security Agreement, Real Estate Mortgage and Security Agreement, Amended and Restated Collateral Assignment of Rents and Leases, Collateral Assignment of Rents and Leases, Assignment of Amendatory Loan Documents Recorded with the Recorder of Marion County, Assignment of Amendatory Loan Documents Recorded with the Recorder of Tippecanoe County and the form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond Series 1985 (Cloverleaf Properties Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the supplemental financing of the completion of the economic development facilities referred to in the Amendment and Supplement to Bond Purchase and Loan Agreement consisting of the acquisition, construction, installation and equipping of a 36,100 square foot building including basement and the machinery and equipment to be installed therein plus certain site improvements to be located at 8305 Rockville Road (U.S. Rt. 36) on approximately 2.81 acres of land, Indianapolis, Indiana, which will be used by the Company for its central office and warehouse in its real estate development and construction business and for lease to several related companies of the Company, namely Cloverleaf Properties, Inc., Dominion Realty, Inc., BDA Corporation, Classic Insurance Company, First American Mortgage Corporation, and Foundation Investments, Inc. previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Cloverleaf Properties, an Indiana general partnership for the purposes to provide supplemental financing the economic development facilities being acquired, constructed, installed and equipped or to be acquired, constructed, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Cloverleaf Properties, an Indiana general partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Amendment and Supplement to Bond Purchase and Loan Agreement, Promissory Note Series 1985, Amended and Restated Real Estate Mortgage and Security Agreement, Real Estate Mortgage and Security Agreement, Amended and Restated Collateral Assignment of Rents and Leases, Collateral Assignment of Rents and Leases, Assignment of Amendatory Loan Documents Recorded with the Recorder of Marion County, Assignment of Amendatory Loan Documents Recorded with the recorder of Tippecanoe County and the form of the City of Indianapolis Economic Development First Mortgage Revenue Bond Series 1985 (Cloverleaf Properties Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Amendment and Supplement to Bond Purchase and Loan Agreement, Promissory Note Series 1985, Amended and Restated Real Estate Mortgage and Security Agreement, Real Estate Mortgage and Security Agreement, Amended and Restated Collateral Assignment of Rents and Leases, Collateral Assignment of Rents and Leases, Assignment of Amendatory Loan Documents Recorded with the Recorder of Marion County, Assignment of Amendatory Loan Documents Recorded with the Recorder of Tippecanoe County and the form of the City of Indianapolis Economic Development First Mortgage Revenue Bond Series 1985 (Cloverleaf Properties Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development First Mortgage Revenue Bond Series 1985 (Cloverleaf Properties Project) in the principal amount of Three Hundred Fifty Thousand Dollars (\$350,000) for the purpose of procuring funds to loan to Cloverleaf Properties, an Indiana general partnership in order to provide supplemental financing for the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Amendment and Supplement to Bond Purchase and Loan Agreement incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Cloverleaf Properties, and Indiana general partnership on its Promissory Note Series 1985 in the principal amount of Three Hundred Fifty Thousand Dollars (\$350,000), which will be executed and delivered by Cloverleaf Properties, an Indiana general partnership to evidence and secure said loan, and as otherwise provided in the above described Amendment and Supplement to Bond Purchase and Loan Agreement, Promissory Note Series 1985, Amended and Restated Real Estate Mortgage and Security Agreement, Real Estate Mortgage and Security Agreement, Amended and Restated Collateral Assignment of Rents and Leases, Collateral Assignment of Rents and Leases, Assignment of Amendatory Loan Documents Recorded with the Recorder of Marion County and Assignment of Amendatory Loan Documents Recorded with the Recorder of Tippecanoe County. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bond to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest equal to the Interim Tax Exempt Rate, Permanent Tax Exempt Rate, Default Rate or Taxable Rate as determined in the manner set forth and as the terms are defined in the Bond provided, however, that in no event shall the per annum rate of interest charged exceed thirty percent (30%).

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Amendment and Supplement to Bond Purchase and Loan Agreement, Assignment of Amendatory Loan Documents Recorded with the Recorder of Marion County,

Assignment of Amendatory Loan Documents Recorded with the Recorder of Tippecanoe County, the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond Series 1985 (Cloverleaf Properties Project), and the Endorsement to the Promissory Note Series 1985 approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Amendment and Supplement to Bond Purchase and Loan Agreement, Assignment of Amendatory Loan Documents Recorded with the Recorder of Marion County, Assignment of Amendatory Loan Documents Recorded with the Recorder of Tippecanoe County, the Endorsement to the Promissory Note Series 1985 and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in the Promissory Note Series 1985, Amended and Restated Real Estate Mortgage and Security Agreement, Real Estate Mortgage and Security Agreement, Amended and Restated Collateral Assignment of Rents and Leases and Collateral Assignment of Rents and Leases without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Amendment and Supplement to Bond Purchase and Loan Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bond Series 1985 (Cloverleaf Properties Project) and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 84, 1985. This is a special ordinance authorizing the modification of the financing previously issued revenue bonds which were used to finance the acquisition, renovation, construction, installation and equipping of the John Ober and Betty L. Ober Project. Councillor Schneider explained that Proposal No. 84, modifies Special Ordinance 72, 1985, which authorized the issuance of \$1,800,000 Economic Development Revenue Bonds for John Ober and Betty L. Ober Project (principals of Business Furniture Corporation). The modification is to reflect an agreement between the Ober's and the American Fletcher National Bank to change the method of making principal payments (specific principal payments are defined). The final maturity of principal remains January 1, 2000. The interest rate will remain at 75% of A.F.N.B.'s prime rate of interest. The Economic Development Committee on February 20, 1985, recommended Proposal No. 84, 1985, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Rhodes for adoption. Proposal No. 84, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Howard, SerVaas

Proposal No. 84, 1985, was retitled SPECIAL ORDINANCE NO. 8, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 8, 1985

A SPECIAL ORDINANCE authorizing the modification of the financing concerning the previously issued City of Indianapolis, Indiana First Amendment and Restated Economic Development First Mortgage Revenue Bond, Series 1984 (Ober Project).

WHEREAS, the City of Indianapolis, Indiana (the "City"), John Ober and Betty L. Ober ("Ober") and American Fletcher National Bank and Trust Company (the "Original Purchaser") executed a certain Bond Purchase and Loan Agreement, dated as of December 1, 1984 (the "Loan Agreement"), in connection with the issuance by the Issuer of its Economic Development First Mortgage Revenue Bond, Series 1984 (Ober Project) in the aggregate principal amount of One Million Eight Hundred Thousand Dollars (\$1,800,000), issued December 18, 1984 (the "Series 1984 Bond"); and

WHEREAS, the Original Purchaser purchased the Series 1984 Bond at issuance, and owns the Series 1984 Bond as of the date hereof; and

WHEREAS, pursuant to the Loan Agreement, the proceeds of the Series 1984 Bond were loaned by the Issuer to Ober to finance certain economic development facilities (the "Project") located in Indianapolis, Indiana consisting of 1. renovation and equipping of the office building located at 101 South Pennsylvania Street for general office use; 2. acquisition, renovation, installation and equipping of the building located at 107 South Pennsylvania Street for general office use with the first floor of the 107 South Pennsylvania Street building leased as either a food service facility or a retail facility; 3. upgrading of the parking lot located at 111 South Pennsylvania Street; and acquisition and upgrading of the parking lot located at 113 South Pennsylvania Street for use by tenants of the 107 South Pennsylvania Street building all of which locations are in Indianapolis, Indiana and of which a portion will be occupied by Business Furniture Corporation for use in its business of wholesale distribution of furniture (the "Project") which will be initially owned by John Ober and Betty Ober and operated by John Ober and Betty Ober and in part by Business Furniture Corporation which will lease a portion of the facilities from John Ober and Betty Ober and Ober executed a promissory note to the Issuer dated as of December 1, 1984 (the "Series 1984 Note") under which Ober agreed to pay funds sufficient to provide for payments of principal and premium, if any, and interest on the Series 1984 Bond; and

WHEREAS, the Issuer, Ober and the Original Purchaser have agreed to amend the terms and provisions of the Loan Agreement, Series 1984 Note, Series 1984 Bond and such other documents as shall be necessary; and

WHEREAS, the Indianapolis Economic Development Commission, on February 20, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the modification of the financing of certain economic development facilities being developed by John Ober and Betty L. Ober complies with the purposes and provisions of Indiana Code 36-7-12 and that such modification of the financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the First Amendment to Bond Purchase and Loan Agreement, First Amended and Restated Promissory Note Series 1984, Assignment of Amendatory Loan Documents and City of Indianapolis, Indiana First Amended and Restated Economic Development First Mortgage Revenue Bond, Series 1984 (Ober Project) in the principal amount of One Million Eight Hundred Thousand Dollars (\$1,800,000) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the amendment of the financing of the economic development facilities referred to in the First Amendment to Bond Purchase and Loan Agreement previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the First Amendment to Bond Purchase and Loan Agreement, First Amended and Restated Promissory Note Series 1984, Assignment of Amendatory Loan Documents and City of Indianapolis, Indiana First Amended and Restated Economic Development First Mortgage Revenue Bond, Series 1984 (Ober Project) in the principal amount of One Million Eight Hundred Thousand Dollars (\$1,800,000) are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the First Amendment to Bond Purchase and Loan Agreement, First Amended and Restated Promissory Note Series 1984, Assignment of Amendatory Loan Documents and City of Indianapolis, Indiana First Amended and Restated Economic Development First Mortgage Revenue Bond, Series 1984 (Ober Project) in the principal amount of One Million Eight Hundred Thousand Dollars (\$1,800,000) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall exchange its First Amended and Restated Economic Development First Mortgage Revenue Bond, Series 1984 (Ober Project) in the principal amount of One Million Eight Hundred Thousand Dollars (\$1,800,000) for the Series 1985 Bond for the purpose of providing amended financing for the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the First Amendment to Bond Purchase and Loan Agreement incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by John Ober and Betty L. Ober on its First Amended and Restated Promissory Note Series 1984 in the principal amount of One Million Eight Hundred Thousand Dollars (\$1,800,000) which will be executed and delivered by John Ober and Betty L. Ober to evidence and secure said loan, and as otherwise provided in the above described First Amendment to Bond Purchase and Loan Agreement, First Amended and Restated Promissory Note Series 1984 and Assignment of Amendatory Loan Documents. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to deliver to the purchaser thereof the First Amended and Restated Economic Development First Mortgage Revenue Bond, Series 1984 (Ober Project) in the manner set forth in the First Amendment to Bond Purchase and Loan Agreement at the price and stated per annum interest rate as set forth in the Bond provided, however, that in no event shall the per annum rate of interest charged exceed thirty percent (30%).

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the First Amendment to Bond Purchase and Loan Agreement, Assignment of Amendatory Loan Documents, the City of Indianapolis, Indiana First Amended and Restated Economic Development First Mortgage Revenue Bond, Series 1984 (Ober Project), and the Endorsement to the First Amended and Restated Promissory Note Series 1984 approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser thereof in the manner set forth in the First Amendment to Bond Purchase and Loan Agreement. The Mayor and City Clerk may by their execution of the First Amendment to Bond Purchase and Loan Agreement, Assignment of Amendatory Loan Documents, the Endorsement to the First Amended and Restated Promissory Note Series 1984 and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in the First Amended and Restated Promissory Note Series 1984 without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the First Amendment to Bond Purchase and Loan Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the First Amended and Restated Economic Development First Mortgage Revenue Bond, Series 1984 (Ober Project) and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 85, 1985. This is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for The Standard Register Company in an approximate amount of \$8,000,000. Councillor Schneider stated that the Company is headquartered in Dayton, Ohio, and it is currently leasing a sales office containing 2,717 square feet at 9000 Keystone Crossing in addition to leasing a warehouse containing 2,500 square feet at 3000 South Shelby Street. The project is to construct an 80,000 square foot building on 17-20 acres in Marion County to be used in a manufacturing process of coating of paper to produce chemical carbonless paper. The plant will be expandable. There are currently two sites under consideration (Guion

Road and Castleton Business Park). Annual sales are about \$400 million among 24 plants nationwide. Estimated costs for the \$8 million project are as follows: \$340,000 land, \$3,050,000 building, and \$4,610,000 equipment. Construction should begin in April of 1985, with occupancy by May of 1986. The Company currently has 18 employees locally with an annual payroll of \$555,000. The estimated number of additional employment positions at the end of one year total 34 jobs with \$721,000 in additional payroll to the community. The three-year employment estimate is 48 jobs with \$1,012,000 in additional payroll. The Economic Development Committee on February 20, 1985, recommended Proposal No. 85, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Boyd for adoption. Proposal No. 85, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

2 NOT VOTING: *Campbell, Howard*

Proposal No. 85, 1985, was retitled SPECIAL RESOLUTION NO. 12, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 12, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, The Standard Register Company (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a building containing approximately 80,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located in the City of Indianapolis, Marion County, Indiana on approximately 17 to 20 acres of land which will be used by The Standard Register Company for the coating of paper to produce chemical carbonless copy paper (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 34 at the end of one year and 48 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Eight Million Dollars (\$8,000,000) under the Act to be privately placed for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to The Standard Register Company (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution

expires September 30, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 86, 1985. This is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for CHEMCENTRAL Corporation, an Indiana Corporation, in an approximate amount of \$2,300,000. Councillor Schneider stated that the Company is currently located at 1650 Luett Avenue in three buildings totalling 6,500 square feet on 1.54 acres. CHEMCENTRAL Corporation is in the business of wholesale distribution of industrial solvents and chemicals. The Company has been located at this location for forty years, and it owns 31 distribution plants nationwide. The Company has outgrown its facility on Luett Avenue, and the project is to acquire, construct, equip, etc. three buildings totalling 18,000 square feet on 4.1 acres in the 5800 block of West 82nd Street (Park 100). Estimated costs for the \$2,392,297 project are as follows: \$92,297 land, \$1,400,000 building, \$500,000 equipment, and \$400,000 other contingencies. The Company currently employs 18 people with an annual payroll of \$520,608.25. Relocation will retain employment of 18 people. There is an unspecified increase in employment within three years. The Economic Development Committee on February 20, 1985, recommended Proposal No. 86, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 86, 1985, was adopted on the following roll call vote; viz:

[Clerk's Note: Councillor McGrath requested permission to abstain from voting on Proposal No. 86, 1985, due to his position as a purchasing agent and the number of transactions that he conducts with the CHEMCENTRAL Corporation.]

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Howard, McGrath

Proposal No. 86, 1985, was retitled SPECIAL RESOLUTION NO. 13, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 13, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, CHEMCENTRAL Corporation, an Indiana Corporation (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct and install certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to consist of the construction of an approximately 14,450 square foot, one story warehouse, an approximately 3,000 square foot, one story office building, and an approximately 750 square foot, one story pumphouse, the construction and installation of related improvements and the acquisition, of machinery, equipment and related property to be installed therein, all to be owned by the Company and used by the Company for the distribution of industrial chemicals and all to be located in the 5800 block of West 82nd Street, Industrial Park 100, Indianapolis, Indiana (the "Project"); and

WHEREAS, the retention of job opportunities and the increase in job opportunities, the industrial diversification and the increase in the tax base to be achieved by the acquisition, construction and installation of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the retention of permanent job opportunities and the creation of permanent job opportunities, industrial diversification and an increase in the tax base; and

WHEREAS, the Indianapolis Economic Development Commission has preliminarily considered the competitive effect and impact of the acquisition, construction and installation of the Project on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about the City of Indianapolis, or Marion County, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the retention and the promotion of job opportunities in or near the City of Indianapolis, Indiana and in Marion County, Indiana, industrial diversification and an increase in the tax base are desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and the City take such action as it lawfully may to encourage retention and promotion of job opportunities in and near the City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City in an approximate amount of Two Million Three Hundred Thousand Dollars (\$2,300,000) under the Act for the acquisition, construction and installation of the Project and the sale or leasing of the Project to the Company or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction and installation of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires September 30, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and installation of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. The Indianapolis Economic Development Commission is hereby authorized and directed to hold a public hearing on the proposed plan of financing of the Project and to publish notice of such hearing in accordance with I.C. 36-7-12-24, as supplemented and amended, and Section 103(k) of the Internal Revenue Code of 1954, as amended.

SECTION 6. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14, as supplemented and amended.

PROPOSAL NO. 87, 1985. This is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Central Mold Works, Inc. in an approximate amount of \$400,000. The Company is engaged in the manufacturing of component parts for injection molds which are distributed primarily to the automotive industry. Cental Mold Works is currently located at 2075 North Temple Avenue in a building containing about 6,750 square feet. Councillor Schneider described the project as the construction of a new 11,500 facility on about 2 acres to be used for manufacturing and office space. The site is south of the existing facility. The Company plans to offer the Temple Avenue facility for rent once the building is vacated. Estimated costs for the \$400,000 project are as follows: \$338,000 building, \$50,000 equipment, and \$12,000 other contingencies. Construction should begin in April of 1985, and occupancy is projected for September of 1985. Central Mold Works currently employs 29 people with an annual payroll of approximately \$700,000. The estimated number of additional employment positions at the end of one year total 10 jobs with \$200,000 in additional payroll to the community. The three-year employment estimate is 10 jobs with \$350,000 in additional payroll. The Economic Development Committee on February 20, 1985, recommended Proposal No. 87, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 87, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

3 NOT VOTING: *Cottingham, Gilmer, Howard*

Proposal No. 87, 1985, was retitled SPECIAL RESOLUTION NO. 14, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 14, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Central Mold Works, Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a building containing approximately 11,500 square feet of manufacturing and office space and the machinery and equipment to be installed therein plus certain site improvements to be located at 2075 North Temple Avenue, Indianapolis, Indiana on approximately 2 acres of land which will be used by Central Mold Works, Inc. for the manufacture of plastic injection molds (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 10 at the end of one year and at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Four Hundred Thousand Dollars (\$400,000) under the Act to be privately placed for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Central Mold Works, Inc. (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires September 30, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 88, 1985. This is an inducement resolution authorizing certain proceedings with respect to interim (construction) financing for Joseph F. Sexton, or a limited partnership of which Joseph F. Sexton or a corporation controlled by him is the general partner or a corporation controlled by Joseph F. Sexton, in an approximate amount of \$18,000,000. Councillor Schneider stated that the

construction financing is for a project consisting of forty-three individual apartment buildings containing 702 multi-family residential rental units totalling 578,442 gross square feet (529,410 net rentable square feet). Rental rates will start at \$285, with \$480 being the most expensive unit. The rental units will be known as Carlton Court. The site contains approximately 57.248 acres at 8300 Township Line Road. Zoning changes have already been granted. Total costs for the project are estimated at \$23,206,959, and construction should begin in April of 1985. The estimated number of additional employment positions at the end of one year total eight jobs with \$120,000 in additional payroll to the community. The three-year employment estimate is eight jobs with \$150,000 in additional payroll. About 300-400 construction jobs will be provided over the next two to three years. The Economic Development Committee on February 20, 1985, recommended Proposal No. 88, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Cottingham for adoption. Proposal No. 88, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Giffin, Gilmer, Hawkins, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

1 NAY: *Holmes*

4 NOT VOTING: *Clark, Dowden, Durnil, Howard*

Proposal No. 88, 1985, was retitled SPECIAL RESOLUTION NO. 15, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 15, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Joseph F. Sexton, or a limited partnership of which Joseph F. Sexton or a corporation controlled by him is the general partner, or a corporation controlled by Joseph F. Sexton, (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to provide interim (construction) financing to the Company for the same,

said economic development facilities to be the acquisition, construction, installation and equipping of approximately 702 units of multifamily residential rental housing and the machinery and equipment to be installed therein plus certain site improvements to be located at 8300 Township Line Road on approximately 57.248 acres of land, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 8 at the end of one year and at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the interim (construction) financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Eighteen Million Dollars (\$18,000,000) under the Act to be privately placed to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Joseph F. Sexton, or a limited partnership of which Joseph F. Sexton or a corporation controlled by him is the general partner, or a corporation controlled by Joseph F. Sexton, (the "Company") or the loaning of the proceeds of such interim (construction) financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid interim (construction) financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires September 30, 1985 unless

such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 89, 1985. This is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Oakleaf/Indianapolis, Ltd. in an approximate amount of \$5,700,000. Councillor Schneider described the project as the construction of a 245 unit congregate/-retirement multi-family residential rental facility containing approximately 106,074 square feet on about 11.23 acres at 8500 Craig Street. There will be an FHA mortgage. Rental rates are estimated at \$783 for efficiency units and \$988 for two or three bedroom units. Rates includes amenities or services such as meals, laundry, etc. Estimated costs for the \$5.7 million project are as follows: \$342,914 land, \$4,304,853 building and equipment, and \$1,052,233 other contingencies. The estimated number of additional employment positions at the end of one year total 15 jobs with \$115,000 in additional payroll to the community. The three-year employment estimate is 26 jobs with \$325,000 in additional payroll. The Economic Development Committee on February 20, 1985, recommended Proposal No. 89, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 89, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*
NO NAYS

3 NOT VOTING: *Durnil, Howard, Strader*

Proposal No. 89, 1985, was retitled SPECIAL RESOLUTION NO. 16, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 16, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Oakleaf/Indianapolis, Ltd. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a building containing approximately 106,074 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 8500 Craig Street, Indianapolis, Indiana on approximately 11.23 acres of land which will be used by Oakleaf/Indianapolis Ltd. for 121 multi-family residential rental units for the elderly along with a 24 unit catered care wing (congregate retirement facility) (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 15 at the end of one year and 26 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Five Million Seven Hundred Thousand Dollars (\$5,700,000) under the Act subject to the Project mortgage receiving section 221(d)(4) FHA insurance for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Oakleaf/Indianapolis, Ltd. (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires September 30, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 90, 1985. This is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for BetaMed Pharmaceuticals, Inc. and/or an affiliate thereof in an amount not to

exceed \$4,300,000. Dr. Beurt SerVaas abstained from discussions and voting in compliance with I.C. 36-7-12-16. He is a member of and President of the City-County Council has submitted claim to the Bankruptcy Court and expects to receive \$20,000 in reimbursement for administrative expenses in connection with the bankruptcy and \$50,000 plus interest at the rate of 12% per annum in repayment of a loan to BetaMed Pharmaceuticals, Inc. Mrs. Beulah Coughenour also disclosed that she is a stockholder in the Company and abstained from discussion and voting. Councillor Schneider explained that the Company is currently coming out of Chapter 11 bankruptcy proceedings. Par Pharmaceuticals, Inc. has proposed as part of a Chapter 11 plan to acquire a majority of the Company's issued and outstanding shares of common stock. Par Pharmaceuticals, Inc. ("Par") will hold 80% of common stock of the Company. "Par" will infuse capital into the Company. This plan which provides for payment in full of the claims of all of BetaMed's creditors was approved by the U.S. District Bankruptcy Court of the Southern District of Indiana on February 15, 1985, under Cause Number IP 84-2508RAS. The project is to acquire, renovate and improve an existing 18,000 square foot building at 6925 North Guion Road which is currently being leased from unrelated parties. The site is approximately 4.56 acres. The project includes construction of a 20,000 square foot expansion to the existing facility to be used for manufacturing, testing, sale, and distribution of parenteral (injectable) drugs and related products and services. Estimated costs for the \$4.3 million project are as follows: \$1,474,142 land and building, \$2,630,000 equipment, \$195,858 other contingencies. The estimated number of additional employment positions at the end of one year total 27 jobs with \$845,000 in additional payroll to the community. The three-year employment estimate is 126 jobs with \$3,155,000 in additional payroll. The Economic Development Committee on February 20, 1985, recommended Proposal No. 90, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Curry for adoption. Proposal No. 90, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, Shaw, Stewart, Strader, West

NO NAYS

4 NOT VOTING: Coughenour, Hawkins, Howard, SerVaas

Proposal No. 90, 1985, was retitled SPECIAL RESOLUTION NO. 17, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 17, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, BetaMed Pharmaceuticals, Inc. and/or an affiliate thereof (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, renovate, construct, install and equip a certain economic development facility and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facility to be the acquisition, rehabilitation and improvement of a building which BetaMed Pharmaceuticals, Inc. is currently leasing from an unrelated party containing approximately 18,000 square feet, consisting of manufacturing and warehouse space and related office space located at 6925 North Guion Road, Indianapolis, Indiana, on approximately 4.5623 acres of land; construction, installation and equipping of an addition to such existing facility currently expected to be approximately 20,000 square feet including the acquisition of any additional adjacent real estate necessary or appropriate for such addition; the acquisition, construction, installation and equipping of various site improvements at the expanded facility; and the acquisition and installation of machinery, equipment, fixtures and furnishings for use in the expanded facility; all of which will be used for the manufacture, testing, sale and distribution of parenteral drugs and related products and services ("Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 27 at the end of one year and 126 at the end of three years) to be achieved by the acquisition, renovation, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, renovation, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an amount not to exceed Four Million Three Hundred Thousand Dollars (\$4,300,000) under the Act to be privately placed for the acquisition, renovation, construction, installation and equipping of the Project and the sale or leasing of the Project to BetaMed Pharmaceuticals, Inc. and/or an affiliate thereof (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, renovation, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires September 30, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction and renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 91, 1985. This is a special ordinance designating the parcel of land commonly known as 120-128 North Delaware Street as an economic development target area. PROPOSAL NO. 92, 1985, is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Young and Young in an approximate amount of \$975,000. Councillor Schneider described the project as the acquisition and renovation of an existing 10,000 square foot building located at 120-128 North Delaware Street, plus approximately 2,800 square feet of new construction for general lease for professional offices (80% of space) and commercial use (20% of space). Law offices will occupy about 40% of the 80% intended for professional offices. Rental rates will be about \$9 to \$12 per square foot. Estimated costs for the \$975,000 project are as follows: \$50,000 land, \$375,000 building, \$100,000 building equipment, and \$450,000 renovation/new construction and other costs. Renovation/construction should begin in May of 1985 with occupancy by November of 1985. The law firm of Young and Young currently employs seven people with an annual payroll of \$105,000. The estimated number of additional employment positions at the end of one year total 8 jobs with \$90,000 in additional payroll to the community. The three-year employment estimate is 12 jobs with \$140,000 in additional payroll. The Economic Development Committee on February 20, 1985, recommended Proposal Nos. 91 and 92, 1985, Do Pass by votes of 7-0. Councillor Schneider moved, seconded by Councillor Rhodes for adoption. Proposal No. 91, 1985, was adopted on the following roll call vote; viz:

23 AYES: Borst, Boyd, Campbell, Clark, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader

NO NAYS

6 NOT VOTING: Bradley, Cottingham, Coughenour, Holmes, Howard, West

Proposal No. 91, 1985, was retitled SPECIAL ORDINANCE NO. 9, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 9, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-12 (as amended by P.L. 40-1983) limits the use of industrial development bonds for financing economic development facilities for retail trade, banking, credit agencies or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on facilities of the same kind operating in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 (as added by P.L. 40-1983) authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 25% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-12-2, as amended, (as added by P.L. 40-1983) indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been declared and confirmed as a redevelopment area before March 31, 1983; under:

- (A) I.C. 36-7-14-15, I.C. 36-7-14-16, and I.C. 36-7-14-17; or
- (B) I.C. 36-7-15.1-8, I.C. 36-7-15.1-9, and I.C. 36-7-15.1-10;

(3) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(4) encompasses buildings, structures, sites, or other facilities that are:

- (A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;
- (B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or
- (C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on February 20, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as 120-128 North Delaware Street, Indianapolis, Indiana, as an Economic Development Target Area which parcels are more specifically described as:

Lots 2, 3, and 4 in Dancy's Subdivision of Lot 4 in Square 44 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 8, page 124, in the office of the Recorder of Marion County, Indiana.

now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the parcels commonly known as 120-128 North Delaware Street, Indianapolis, Indiana, which are more specifically described as:

Lots 2, 3, and 4 in Dancy's Subdivision of Lot 4 in Square 44 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 8, page 124, in the office of the Recorder of Marion County, Indiana.

meets the requirement imposed by I.C. 36-7-12-2, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 92, 1985, was adopted on the following roll call vote; viz:

20 AYES: Borst, Clark, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader

NO NAYS

9 NOT VOTING: Boyd, Bradley, Campbell, Cottingham, Coughenour, Hawkins, Holmes, Howard, West

Proposal No. 92, 1985, was retitled SPECIAL RESOLUTION NO. 18, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 18, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Young and Young (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, renovate, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, renovation, construction, installation and equipping of an existing building by the renovation of approximately 10,000 square feet and new construction of approximately 2,800 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 120-128 North Delaware Street, Indianapolis, Indiana which will be used approximately 80% for various professional offices including law offices and approximately 20% for retail commercial space (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 8 at the end of one year and a total of 12 at the end of three years) to be achieved by the acquisition, renovation, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, renovation, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Nine Hundred Seventy-five Thousand Dollars (\$975,000) under the Act to be privately placed to provide for the acquisition, renovation, construction, installation and equipping of the Project and the sale or leasing of the Project to Young and Young (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, renovation, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will

adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires September 30, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 104-106, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on February 21, 1985". No action was taken on Proposal Nos. 104-106, 1985 by the Council; and the proposals were deemed adopted. Proposal Nos. 104-106, 1985, were retitled REZONING ORDINANCE NOS. 25-27, 1985, and read as follows:

**REZONING ORDINANCE NO. 25, 1985 84-Z-203 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 16
1003 WEST 16TH STREET, INDIANAPOLIS**

Mt. Olive Baptist Church, by Sherwood Hill, requests the rezoning of approximately 2 acres, being in the D-5 and C-7 districts, to the SU-1 classification, to conform zoning to its use as a church and to permit expansion.

**REZONING ORDINANCE NO. 26, 1985 84-Z-215 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
8867 EAST 96TH STREET, INDIANAPOLIS**

Evergreen Development Corporation, by Philip A. Nicely, requests the rezoning of approximately 60 acres, being in the A-2 district, to the D-2 classification, to provide for single-family residential development.

**REZONING ORDINANCE NO. 27, 1985 85-Z-8 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 16**

1102 WEST 16TH STREET, INDIANAPOLIS

Perry Manufacturing, Inc., by Zeff A. Weiss, requests the rezoning of 1.48 acres, being in the C-7 district, to the I-3-U classification, to provide for the reuse of the existing structure for an industrial coating shop.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 32, 1985. This proposal appropriates \$500,000 for the Marion County Auditor from the Cumulative Building Fund for renovation of the Juvenile Center. Councillor Dowden stated that in October, 1982 the Juvenile Detention Center was cited by the Indianapolis Fire Marshall for violations of Code (life safety codes). In August, 1983 the citation was reissued, listing priorities in which the violations were to be corrected. The repairs include new exits, automatic lock releases for all security-type doors, and exhaust fans and duct work for smoke evacuation. The Public Safety and Criminal Justice Committee on February 13, 1985, recommended Proposal No. 32, 1985, Do Pass by a vote of 8-0. The President called for public testimony at 7:51 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Cottingham for adoption. Proposal No. 32, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Holmes, Journey, McGrath, Miller, Nickell, Page, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Dowden, Hawkins, Howard, Rader*

Proposal No. 32, 1985, was retitled FISCAL ORDINANCE NO. 11, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 11, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Five Hundred Thousand Dollars (\$500,000) in the County Cumulative Building Fund for purposes of the Marion County Auditor and reducing the unappropriated and unencumbered balance in the County Cumulative Building Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02(a)(2) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating the County Cumulative Building Fund for renovation of the Juvenile Center.

SECTION 2. The sum of Five Hundred Thousand Dollars (\$500,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:
MARION COUNTY AUDITOR COUNTY CUMULATIVE BUILDING FUND

4. Capital Outlay	<u>\$500,000</u>
TOTAL INCREASE	<u>\$500,000</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

MARION COUNTY AUDITOR COUNTY CUMULATIVE BUILDING FUND	
Unappropriated and Unencumbered	
County Cumulative Building Fund	<u>\$500,000</u>
TOTAL REDUCTION	<u>\$500,000</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 55, 1985. This proposal appropriates \$50,000 for the Central Equipment Management Division to purchase land for the new garage facility. Councillor Coughenour asked for consent to postpone Proposal No. 55, 1985, until the March 11, 1985, meeting of the Council. Consent was given.

PROPOSAL NO. 56, 1985. This proposal appropriates \$1,622 for the Clerk of the Circuit Court for salary expenses to be reimbursed by the Federal IV-D Program. Councillor Cottingham asked for consent to postpone Proposal No. 56, 1985, until the March 11, 1985, meeting of the Council. Consent was given.

PROPOSAL NO. 59, 1985. This proposal appropriates \$500,000 for the County Sheriff to purchase patrol vehicles. Councillor Dowden reported that the appropriation was made available through the County Auditor's Character 04, Capital Outlay. These funds will be added to approximately \$500,000 already in the Sheriff's Department Budget for the purchase of vehicles. The Sheriff's Department intends to purchase 110 vehicles. Sixty-five unmarked/investigative cars, 41 road cars, 1 four-wheel drive vehicle and 3 station wagons. Captain Hamilton of

the Sheriff's Department stated that the estimated prices are \$9,826 for unmarked/investigative cars (LTD model) and \$11,000 or more for the road cars (Crown Victoria LTD models). The Crown Victoria models will include the "police package" containing a special suspension system and engine. The Public Safety and Criminal Justice Committee on February 13, 1985, recommended Proposal No. 59, 1985, Do Pass by a vote of 7-0. The President called for public testimony at 7:55 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Borst for adoption. Proposal No. 59, 1985, was adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS
1 NOT VOTING: *Howard*

Proposal No. 59, 1985, was retitled FISCAL ORDINANCE NO. 12, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 12, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Five Hundred Thousand Dollars (\$500,000) in the County General Fund for purposes of the Marion County Sheriff and reducing certain other appropriations for the Marion County Auditor.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(7) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds to purchase patrol vehicles.

SECTION 2. The sum of Five Hundred Thousand Dollars (\$500,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
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4. Capital Outlay	<u>\$500,000</u>
TOTAL INCREASE	\$500,000

SECTION 4. The said additional appropriations are funded by the following reductions:

MARION COUNTY AUDITOR

COUNTY GENERAL FUND

4. Capital Outlay

\$500,000

TOTAL REDUCTION

\$500,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 60, 1985. This proposal appropriates \$28,375 for the County Sheriff to employ a chemist in the Crime Laboratory. Councillor Dowden explained that this position is a cooperative effort between the Sheriff's Department and the Indianapolis Police Department. The Sheriff's Department will supply the additional personnel and the Police Department will furnish the needed equipment and work area. The Public Safety and Criminal Justice Committee on February 13, 1985, recommended Proposal No. 60, 1985, Do Pass by a vote of 7-0. The President called for public testimony at 8:11 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Holmes for adoption. Proposal No. 60, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Bradley, Campbell, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

4 NOT VOTING: Clark, Cottingham, Hawkins, Howard

Proposal No. 60, 1985, was retitled FISCAL ORDINANCE NO. 13, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 13, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twenty-eight Thousand Three Hundred Seventy-five Dollars (\$28,375) in the County General Fund for purposes of the Marion County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a) (7) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds from Federal Highway Safety Grants and amend the personnel schedule to employ a chemist in the Crime Laboratory.

SECTION 2. The sum of Twenty-eight Thousand Three Hundred Seventy-five Dollars (\$28,375) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
1. Personal Services	\$12,275
3. Other Services & Charges	5,000
4. Capital Outlay	<u>11,100</u>
TOTAL INCREASE	<u>\$28,375</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
Unappropriated and Unencumbered	
County General Fund	<u>\$28,375</u>
TOTAL REDUCTION	<u>\$28,375</u>

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(7) COUNTY SHERIFF - Dept. 18

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Sheriff	1	20,750	20,750
Executive Officer	1	37,500	37,500
Deputy Chief	5	35,500	177,500
Major	5	30,500	152,500
Captain	11	25,828	284,108
Lieutenant	32	24,173	773,536
Sergeant	94	23,015	2,163,410
Corporal	51	22,104	1,127,304
Deputy 3rd Year	250	21,610	5,402,500
First Deputy	1	31,990	31,990
Admin. Assistant	1	24,437	24,437
Major (Spec. Deputy)	1	21,695	21,695
Captain (Spec. Deputy)	1	19,388	19,388
Lieutenant (Spec. Deputy)	2	17,808	35,616
Sergeant (Spec. Deputy)	9	15,720	141,480
Deputy (Spec. Deputy)	34	13,979	475,286
Correct. Officer 2nd yr.	37	17,160	628,000
Correct. Officer 1st yr.	71	16,120	1,144,520
Crime Watch Coordinator	1	16,758	16,758
Chaplain	2	18,564	36,118
Executive Secretary	2	17,472	29,629

Division Secretary	5	11,002	55,010
Clerk/Typist	35	14,120	359,460
Chemist	<u>1</u>	<u>17,500</u>	<u>17,500</u>
Mechanic	9	19,388	159,750
Attendant	7	11,238	78,666
Merit Board			1,050
Reserve Salaries			700
Vacancy Factor			(44,831,850) (505,325)
Temporary Salaries			50,000
Overtime & Shift Differential			345,808
Professional Salaries			22,900
Clothing Allowance			36,000
Longevity			331,980
Educational Bonus			99,500
M.C.L.E. Pension			1,679,823
Insurance:			
Health			595,260 / 596,460
Life Insurance			41,905 / 41,946
TOTAL	<u>669</u>	<u>16,117,479</u>	<u>16,129,754</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 40, 1985. This proposal establishes the procedure for review of the county option income tax, local homestead credits and cumulative development funds and allocations of revenues for the budgeting process. Councillor McGrath explained that Proposal No. 40, establishes a process by which the City Controller and County Auditor will report to the Rules and Policy Committee pertinent information concerning the local option income tax, local homestead credits and the cumulative development funds. The Rules and Policy Committee on February 19, 1985, recommended Proposal No. 40, 1985, Do Pass by a vote of 7-0. Councillor McGrath moved, seconded by Councillor SerVaas for adoption. Proposal No. 40, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

3 NOT VOTING: Howard, Nickell, Schneider

Proposal No. 40, 1985, was retitled GENERAL ORDINANCE NO. 13, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 13, 1985

A GENERAL ORDINANCE establishing procedures for reviewing the county option income tax, local homestead credits and cumulative development funds and allocations of revenues for the budgeting process.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Chapter 2 of the "Code of Indianapolis and Marion County, Indiana", be and is hereby amended by adding new sections in Article X, Division 1, as follows:

Sec. 2-361. Annual financial reports.

On or before January 15, of each year the auditor and controller shall file with the city-county council financial reports showing 1) for past year the actual revenues and receipts and uses of the county option income tax and cumulative development funds; 2) the certified anticipated receipts from the local option income tax and cumulative development funds for the current year and budgeted expenditures; and 3) a proposed allocation of the anticipated revenues for the next budget year from the county option income tax and cumulative development funds including recommendations for increases or reductions in the rate of county option income tax, homestead credit and cumulative development funds.

Sec. 2-362. Hearing on financial reports.

On or before the tenth day of February, of each year the committee on rules and public policy shall hold a hearing on such financial reports.

Sec. 2-363. Recommendations for taxing changes.

On or before the first day of March, each year the committee on rules and public policy shall recommend to the city-county council such proposals as it deems appropriate to freeze or increase the county option income tax, to increase or to decrease the cumulative development rates, or to increase or to decrease the homestead exemption.

Sec. 2-364. Allocations of certain revenues.

On or before the first day of April each year the committee on rules and public policy shall recommend to the city-county council an allocation of the revenues from federal revenue sharing, county option income tax, and cumulative capital development funds for purposes of preparation of the budget for the succeeding year.

SECTION 2. This ordinance shall be in full force and effect from and after adoption, provided that for 1985 the deadlines contained herein shall be postponed 60 days.

PROPOSAL NO. 57, 1985. This proposal transfers \$78,696 for Superior Court, Criminal Divisions to retain certain public defenders as employees not on a

contractual basis. Councillor Dowden explained that Proposal No. 661, 1984, authorized for public defenders to be paid on a contractual basis (Character 03, Other Services and Charges). Proposal No. 57, 1985, authorizes for six public defenders to be paid out of Character 01, Personal Services. These six public defenders are vested under the PERF (Public Employees Retirement Fund) Program. The Public Safety and Criminal Justice Committee on February 13, 1985, recommended Proposal No. 57, 1985, Do Pass by a vote of 6-1. Councillor Dowden moved, seconded by Councillor Borst for adoption. Proposal No. 57, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Schneider, Shaw, Stewart, Strader*

4 NAYS: *Clark, Rhodes, SerVaas, West*

1 NOT VOTING: *Howard*

Proposal No. 57, 1985, was retitled FISCAL ORDINANCE NO. 14, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 14, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Seventy-eight Thousand Six Hundred Ninety-six Dollars (\$78,696) in the County General Fund for purposes of the Superior Court, Criminal Divisions and reducing certain other appropriations for that division.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(8)(9)(10)(12) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds in order to retain certain public defenders as employees and not on a contractual basis.

SECTION 2. The sum of Seventy-eight Thousand Six Hundred Ninety-six Dollars (\$78,696) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

CRIMINAL DIVISION - ROOM 2	COUNTY GENERAL FUND
1. Personal Services	\$13,116
CRIMINAL DIVISION - ROOM 3	
1. Personal Services	13,116

CRIMINAL DIVISION - ROOM 4

1. Personal Services 39,348

CRIMINAL DIVISION - ROOM 6

1. Personal Services 13,116
TOTAL INCREASE \$78,696

SECTION 4. The said increased appropriation is funded by the following reductions:

CRIMINAL DIVISION - ROOM 2 COUNTY GENERAL FUND
3. Other Services & Charges \$13,116

CRIMINAL DIVISION - ROOM 3
3. Other Services & Charges 13,116

CRIMINAL DIVISION - ROOM 4
3. Other Services & Charges 39,348

CRIMINAL DIVISION - ROOM 6
3. Other Services & Charges 13,116
TOTAL REDUCTION \$78,696

SECTION 5. The personnel schedules are hereby amended by deleting the cross-hatched portions and adding the new amounts as underlined herein:

(8) SUPERIOR COURT - CRIMINAL DIVISION - ROOM TWO - Dept. 52

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,153	17,153
Court Reporters	2	17,845	35,691
Bailiffs	2	15,088	29,156
Chief Clerk	1	15,984	15,984
Secretary	1	15,073	15,073
Record Clerk	1	13,899	13,899
Clerk	1	12,840	12,840
Master Commissioner	1	19,232	19,232
Public Defenders	0 <u>1</u>	0 <u>13,116</u>	0 <u>13,116</u>
Temporary Part-time		<u>1,561</u>	<u>1,561</u>

TOTAL ~~16~~ 11 ~~17,991,589~~ 173,705

(9) SUPERIOR COURT - CRIMINAL DIVISION - ROOM THREE - Dept. 41

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,153	17,153
Court Reporters	2	17,845	35,690
Bailiffs	2	16,538	29,152
Chief Clerk	1	16,922	16,922
Record Clerks	2	12,900	25,800
Master Commissioner	1	19,232	19,232
Secretary	1	14,574	14,574
Grand Jury Bailiff	1	8,938	8,938
Public Defenders	0 <u>1</u>	0 <u>13,116</u>	0 <u>13,116</u>
Temporary Salaries			<u>2,000</u>

TOTAL ~~17~~ 12 ~~189,961~~ 182,577

(10) SUPERIOR COURT - CRIMINAL DIVISION - ROOM FOUR - Dept. 42

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Court Reporters	2	17,845	35,690
Bailiffs	2	15,364	29,150
Chief Clerk	1	15,431	15,431
Record Clerk	1	15,145	15,145
Clerk	1	12,146	12,146
Secretary	1	14,573	14,573
Master Commissioner	1	19,229	19,229
Public Defenders	Ø/ 3	Ø 13,116	/Ø 39,348
Judge	1	17,153	17,153
Temporary Salaries	—	—	1,793
TOTAL	10 13	1160300	199,658

(12) SUPERIOR COURT - CRIMINAL DIVISION - ROOM SIX - Dept. 62

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,153	17,153
Court Reporters	2	17,844	35,688
Secretary	1	15,614	15,614
Bailiffs	2	14,577	28,097
Clerks	3	15,389	43,656
Master Commissioner	1	19,230	19,230
Temporary Salaries	—	—	1,093
Public Defenders	Ø 1	Ø 13,116	Ø/ 13,116
TOTAL	10 11	1460300	173,647

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 58, 1985. This proposal authorizes changes in the personnel compensation schedule of Superior Court, Juvenile Division. Councillor Dowden explained that this proposal authorizes the addition of one part-time referee for the Juvenile Court. This will allow the Judge to direct attention to administrative duties and attend other meetings required by his position. The Public Safety and Criminal Justice Committee on February 13, 1985, recommended Proposal No. 58, 1985, Do Pass by a vote of 7-0. Councillor Dowden moved, seconded by Councillor Nickell for adoption. Proposal No. 58, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

3 NOT VOTING: Clark, Howard, Nickell

Proposal No. 58, 1985, was retitled FISCAL ORDINANCE NO. 15, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 15, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the Marion County Superior Court - Juvenile Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 2.02 (b)(4) of City-County Fiscal Ordinance No. 65, 1984, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(4) SUPERIOR COURT - JUVENILE DIVISION - Dept. 65

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judge	1	17,153	17,153
Administrators	3	36,698	87,231
Managers	14	25,643	295,580
Secretaries	4	13,734	49,730
Computer Operators	4	15,000	52,087
Clerk-Typists	15	12,668	109,923
Referees	4 5	36,193	106,438 120,060
Court Reporters	6	21,708	125,181
Bailiffs	7	16,024	92,245
Probation	61	23,504	909,337
Professional Staff	5	29,226	104,932
Maintenance Staff	8	13,009	69,798
Jury Per Diem			8,160
Temporary Help			12,852
Vacancy Factor			(179,341) (193,363)
TOTAL	N32 133		<u>1,860,906</u>

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 61, 1985. This proposal renews the Marion County Community Corrections Program for the fiscal year 1985-1986 and approves the actions of

the Board concerning the 1985-1986 grant application to the State of Indiana, Department of Corrections. Councillor Dowden stated that currently Community Corrections is composed of three programs, which are Jail Component, Home Detention Component and Residential Component. They are requesting approximately \$571,510 for fiscal year 1985-1986. The Public Safety and Criminal Justice Committee on February 13, 1985, recommended Proposal No. 61, 1985, Do Pass by a vote of 7-0. Councillor Dowden moved, seconded by Councillor Crowe for adoption. Proposal No. 61, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Howard

Proposal No. 61, 1985, was retitled COUNCIL RESOLUTION NO. 8, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 8, 1985

A COUNCIL RESOLUTION renewing the Marion County Community Corrections Program for fiscal year 1985-1986 and approving the actions of the Marion County Community Corrections Advisory Board with respect to the Board's 1985-1986 grant application to the State of Indiana, Department of Corrections.

WHEREAS, the Marion County Community Corrections Advisory Board was established by City-County Special Resolution No. 103, 1981, pursuant to I.C. 11-12-2; and

WHEREAS, Marion County received a grant from the State of Indiana to finance the Marion County Community Corrections Program for fiscal year 1984-1985; and

WHEREAS, the Marion County Community Corrections Advisory Board is currently operating a Community Corrections Program funded by the grant from the State of Indiana; and

WHEREAS, the Marion County Community Corrections Advisory Board must submit a grant application to the State of Indiana, Department of Corrections before March 4, 1985, in order to be eligible for state funding for fiscal year 1985-1986; and

WHEREAS, the Marion County Community Corrections Advisory Board has approved the grant application for fiscal year 1985-1986, a copy of which is attached hereto and incorporated herein, and has submitted said grant application to the State of Indiana, Department of Corrections for its consideration; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The actions of the Marion County Community Corrections Advisory Board with respect to the Board's grant application to the State of Indiana, Department of Corrections are hereby approved and the Board is authorized to proceed in accordance with I.C. 11-12-2 and the terms of said application.

SECTION 2. In the event that the State of Indiana, Department of Corrections approves the grant application for Marion County, the City-County Council of Indianapolis and Marion County hereby renews the Community Corrections Program for a period of one year beginning on July 1, 1985.

SECTION 3. This City-County Council has no intention of supplementing or financing the projects contained in such grant application and approved herein by use of revenues from any local tax regardless of source. At any time that knowledge is received that the state or federal financing of this agency or project is, or will be, reduced or eliminated, the chairman of the Community Corrections Advisory Board or the County Auditor or both are directed to notify the City-County Council in writing of such proposed loss of revenue. Any contract, purchase order or financial commitment by the Community Corrections Advisory Board shall be subject to available non-local revenues and void to the extent such funding is not received.

SECTION 4. Notwithstanding IC 11-12-1-3 any agreement or other contract contemplating the lease, purchase or use of residential space for a Community Corrections Program in Marion County must be signed by the Mayor of Indianapolis as County Executive after prior approval of the City-County Council pursuant to IC 36-3.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 63-71, 1985. Councillor Gilmer stated that Proposal Nos. 63 and 65-70, 1985, were heard by the Transportation Committee on February 20, 1985, and recommended Do Pass by a vote of 7-0. Proposal Nos. 64 and 71, 1985, were technically amended and recommended by the Committee as Do Pass As Amended by a vote of 7-0. Councillor Gilmer outlined the proposals as follows: PROPOSAL NO. 63, 1985, prohibits parking on the west side of Illinois Street between Vermont Street and Michigan Street; PROPOSAL NO. 64, 1985, removes the stop sign at the intersection of Pleasant Street and Shelby Street; PROPOSAL NO. 65, 1985, establishes an automatic signal at the intersection of Country Club Road and 10th Street; PROPOSAL NO. 66, 1985, establishes an automatic signal at the intersection of Emerson Avenue and Victory Drive; PROPOSAL NO. 67, 1985, changes intersection controls at various intersections; PROPOSAL NO. 68, 1985, establishes intersection controls in various subdivisions; PROPOSAL NO. 69, 1985, establishes new parking controls on the west side

of Tuxedo Street; PROPOSAL NO. 70, 1985, sets the speed limit at 35 miles per hour on portions of Fall Creek Boulevard and Fall Creek Parkway; PROPOSAL NO. 71, 1985, changes parking controls on portions of McCarty Street. Councillor Gilmer moved, seconded by Councillor Cottingham for adoption. Proposal Nos. 63-71, 1985, were adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Howard

Proposal Nos. 63-71, 1985, were retitled GENERAL ORDINANCE NOS. 14-22, 1985, consecutively and read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 14, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the addition of the following:

FROM 3:00 P.M. TO 6:00 P.M.

Illinois Street, on the west side, from Vermont Street to Michigan Street.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 15, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 18	Pleasant St. & Shelby St.	Shelby St.	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 18	Pleasant St. & Shelby St.	NONE	NONE

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-166, One-way streets and alleys designated, be and the same is hereby amended by the addition of the following, to wit:

EASTBOUND

Pleasant Street, from Shelby Street to State Avenue.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 16, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22, Pg. 3	Country Club Rd. & W. 10th St.	W. 10th St.	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22, Pg. 3	Country Club Rd. & 10th St.	NONE	SIGNAL

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 17, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40, Pg. 3	S. Emerson Av. & Victory Dr.	S. Emerson Av.	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40, Pg. 3	Emerson Av. & Victory Dr.	NONE	SIGNAL

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 18, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Section 29, Chapter 29-92, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
13, Pg. 1	Briarclift Rd. & Carriage Le.	NONE	NONE

13, Pg. 2	Briarclift Rd. & Westminster Dr.	NONE	NONE
13, Pg. 2	Briarclift Rd. & Westminster Dr.	NONE	NONE
13, Pg. 2	Briarclift Rd. & Whitehall Dr.	NONE	NONE
13, Pg. 2	Carriage Le. & Westminster Dr.	NONE	NONE
6, Pg. 2	Denton Cir. & Lantern Le.	NONE	NONE
6, Pg. 2	Dogwood Ct. & Lantern Le.	NONE	NONE
13, Pg. 3	Fremont Ct. & McIlvain Dr.	NONE	NONE
6, Pg. 2	Gleannlock Dr. & Kinlock Dr.	NONE	NONE
6, Pg. 2	Glenmore Dr. & Kinlock Dr.	NONE	NONE

6, Pg. 2	Glenmore Dr. & Lantern Le.	NONE	NONE
6, Pg. 3	Heritage Ct. & Kinlock Dr.	NONE	NONE
6, Pg. 3	Kinlock Dr. & Whitehall Dr.	NONE	NONE
13, Pg. 4	Lantern Rd. & McIlvain Dr.	NONE	NONE
13, Pg. 4	McIlvain Dr. & Stuart Ct.	NONE	NONE
13, Pg. 4	McIlvain Dr. & Westminster Dr.	NONE	NONE
6, Pg. 4	Westminster Ct. & Westminster Dr.	NONE	NONE
13, Pg. 4	Whitehall Ct. & Whitehall Dr.	NONE	NONE
30, Pg. 7	S. Lyons Av. & W. Perry St.	NONE	NONE
37, Pg. 4	Murry St. & S. Roena St.	NONE	NONE
30, Pg. 8	W. Perry St. & S. Roena St.	NONE	NONE
30, Pg. 8	W. Perry St. & S. Rybolt Av.	NONE	NONE
46, Pg. 2	Camden St. & Clossey Dr.	NONE	NONE
27, Pg. 1	Anemone Le. & N. Eaton Av.	NONE	NONE
27, Pg. 1	Askren Dr. & N. Harbison Av.	NONE	NONE
27, Pg. 1	Askren Dr. & N. Routiers Rd.	NONE	NONE
27, Pg. 3	N. Eaton Av. & Lick Creek Bl.	NONE	NONE
27, Pg. 3	N. Eaton Av. & E. 12th St.	NONE	NONE
27, Pg. 3	N. Fenton Av. & Fenwick Av.	NONE	NONE
27, Pg. 4	Fenwick Av. & Fenwick Ct.	NONE	NONE
27, Pg. 5	N. Harbison Av. & Harbison Ct.	NONE	NONE
30, Pg. 8	W. Perry St. & S. Roena St.	NONE	NONE
30, Pg. 7	S. Lyons Av. & W. Perry St.	NONE	NONE
30, Pg. 8	W. Perry St. & S. Rybolt Av.	NONE	NONE
30, Pg. 3	Collier St. & W. Perry St.	NONE	NONE
30, Pg. 4	FR 3815W/3000S & W. Troy Av.	W. Troy Av.	STOP
30, Pg. 4	FR 3825W/3000S & S. McClure St.	NONE	NONE
30, Pg. 4	FR 3850W/3050S S. Lockburn St.	FR 3850W/3050S	YIELD

30, Pg. 4	FR 3900W/3100S & Mars Hill St.	Mars Hill St.	STOP
30, Pg. 2	Collier St. & FR 3990W/3120S	FR 3990W/3120S	YIELD
37, Pg. 4	FR 3990W/3120S Murry St. & S. Roena St.	NONE	NONE
32, Pg. 12	Kennington St. & Lincoln St.	NONE	NONE
25, Pg. 2	W. Allegheny St. & N. West St.	NONE	NONE
25, Pg. 28	Tippecanoe St. & N. West St.	NONE	NONE

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Section 29, Chapter 29-92, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
13, Pg. 1	Briarclift Rd. & Carriage Le.	Briarclift Rd.	STOP
13, Pg. 2	Briarclift Rd. & Westminster Dr. (NB)	Briarclift Rd.	STOP
13, Pg. 2	Briarclift Rd. & Westminster Dr. (SB)	Briarclift Rd.	STOP
13, Pg. 2	Briarclift Rd. & Whitehall Dr.	Briarclift Rd.	STOP
13, Pg. 2	Carriage Le. & Westminster Dr.	Westminster Dr.	STOP
6, Pg. 2	Denton Cir. & Lantern Le.	Lantern Le.	STOP
6, Pg. 2	Dogwood Ct. & Lantern Le.	Lantern Le.	STOP
13, Pg. 3	Fremont Ct. & McIlvain Dr.	McIlvain Dr.	STOP
6, Pg. 2	Gleannloch Dr. & Kinlock Dr.	Kinlock Dr.	STOP
6, Pg. 2	Glenmore Dr. & Kinlock Dr.	Glenmore Dr. (SB) & Kinlock Dr. (EB)	STOP
6, Pg. 2	Glenmore Dr. & Lantern Le.	Glenmore Dr. (NB) & Lantern Le. (SB)	STOP
6, Pg. 3	Heritage Ct. & Kinlock Dr.	Kinlock Dr.	YIELD
6, Pg. 3	Kinlock Dr. & Whitehall Dr.	Kinlock Dr.	STOP
13, Pg. 4	Lantern Rd. & McIlvain Dr.	Lantern Le.	STOP
13, Pg. 4	McIlvain Dr. & Stewart Ct.	McIlvain Dr.	STOP
13, Pg. 4	McIlvain Dr. & Westminster Dr.	McIlvain Dr. (NB) & Westminster Dr. (SB)	STOP
6, Pg. 4	Westminster Ct. & Westminster Dr.	Westminster Dr.	YIELD
13, Pg. 4	Whitehall Ct. & Whitehall Dr.	Whitehall Ct. & Whitehall Dr. (SB)	STOP

46, Pg. 2	Camden St. & Clossey Dr.	Clossey Dr.	STOP
27, Pg. 1	Anemone Le. & Eaton Av.	Anemone Le.	STOP
27, Pg. 1	Askren Dr. & Harbison Av.	Harbison Av.	STOP
27, Pg. 1	Askren Dr. & Routiers Rd.	Routiers Rd.	STOP
27, Pg. 3	Eaton Av. & Lick Creek Blvd.	Lick Creek Blvd.	YIELD
27, Pg. 3	Eaton Av. & E. 12th St.	Eaton Av.	STOP
27, Pg. 3	Fenton Av. & Fenwick Av.	Fenwick Av.	STOP
27, Pg. 4	Fenwick Av. & Fenwick Ct.	Fenwick Av.	STOP
27, Pg. 5	Harbison Av. & Harbison Ct.	Harbison Av.	STOP
30, Pg. 8	Perry St. & Roena St.	Roena St.	STOP
30, Pg. 7	Lyons Av. & Perry St.	Lyons Av.	STOP
30, Pg. 8	Perry St. & Rybolt Av.	Rybolt Av.	STOP
30, Pg. 3	Collier St. & Perry St.	Collier St.	STOP
30, Pg. 1	Access Dr. 3815W/3000S & Troy Av.	Troy Av.	STOP
30, Pg. 1	Access Dr. 3825W/3000S & S. McClure St.	Access Dr. 3825W/3000S	STOP
30, Pg. 1	Access Dr. 3850W/3050S & Collier St.	Access Dr. 3850W/3050S	STOP
30, Pg. 1	Access Dr. 3900W/3100S & Mars Hill St.	Mars Hill St.	STOP
30, Pg. 1	Access Dr. 3930W/3100S, Foltz St. & Perry St.	Foltz St.	STOP
30, Pg. 1	Access Dr. 3990W/3120S & Collier St.	Access Dr. 3990W/3120S	STOP
37, Pg. 4	Murry St. & Roena St.	Murry St.	STOP
32, Pg. 12	Kennington St. & Lincoln St.	Lincoln St.	STOP
25, Pg. 2	Allegheny St. & West St.	West St.	STOP
25, Pg. 28	Tippecanoe St. & N. West St.	West St.	STOP

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 19, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 1	Abercromby Cir. & Liberty Creek Dr.	Liberty Creek Dr.	YIELD
9, Pg. 1	Dobbs Ferry Dr. & Liberty Creek Dr.	Liberty Creek Dr.	STOP
9, Pg. 1	Federalist Ct. & Liberty Creek Dr.	Liberty Creek Dr.	YIELD
9, Pg. 1	Freedom Ct. & Liberty Creek Dr.	Liberty Creek Dr.	STOP
9, Pg. 2	Patriot Way & Liberty Creek Dr.	Liberty Creek Dr.	STOP
46, Pg. 3	Country Woods Dr. & Meridian St.	Meridian St.	STOP
6, Pg. 3	Prairie Ct. & Prairie Dr.	Prairie Dr.	YIELD
46, Pg. 1	Blue Oak Le. & Culpepper Dr.	Culpepper Dr.	YIELD
46, Pg. 3	Culpepper Dr., Logwood Dr. & Hill Pine Ct.	Culpepper/Logwood	YIELD

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 20, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets and Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Tuxedo Street, on the west side, from North Street to a point 100 feet north of North Street;

Tuxedo Street, on the west side, from a point 280 feet north of North Street to a point 455 feet north of North Street.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
From 7:00 a.m. to 9:00 a.m.

Tuxedo Street, on the west side, from North Street to St. Clair Street;

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
From 4:00 p.m. to 6:00 p.m.

Tuxedo Street, on the west side, from North Street to St. Clair Street.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 21, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-136, Alteration of prima facie speed limits, be and the same is hereby amended by the addition of the following, to wit:

Fall Creek Boulevard, from Northwestern Avenue to Capitol Avenue, 35 MPH; and

Fall Creek Parkway, North Drive, from Capitol Avenue to 30th Street, 35 MPH.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 22, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", changing parking controls on portions of McCarty Street.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be and the same is hereby amended by the deletion of the following, to wit:

McCarty Street, on both sides, from Kentucky Avenue to East Street; and

McCarty Street, on the south side, from West Street to Chadwick Street.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the deletion of the following, to wit:

McCarty Street, on both sides, from Kentucky Avenue to West Street;

McCarty Street, on the north side, from Illinois Street to East Street;

McCarty Street, on the south side, from Chadwick Street to Meikel Street;

McCarty Street, on the south side, from Kenwood Avenue to East Street.

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-269, Parking prohibited at all times on specified days, be and the same is hereby amended by the deletion of the following, to wit:

PROHIBITED ON ANY DAY EXCEPT
SUNDAYS AND HOLIDAYS

McCarty Street, on both sides, from Oliver Avenue to Sand Street;

McCarty Street, on the north side, from Sand Street to Virginia Avenue;

McCarty Street, on the south side, from Illinois Street to a point 100 feet east of Meridian Street;

McCarty Street, on the south side, from Pennsylvania Street to East Street;

McCarty Street, on the south side, from a point 300 feet west of Virginia Avenue to Virginia Avenue;

McCarty Street, on the south side, from a point 100 feet west of West Street to Chadwick Street.

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS,
SUNDAYS OR HOLIDAYS
From 4:00 p.m. to 6:00 p.m.

McCarty Street, on the south side, from East Street to New Jersey Street.

SECTION 5. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-268, Stopping, standing and parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

McCarty Street, on both sides, from Kentucky Avenue to Senate Avenue;

McCarty Street, on the north side, from Illinois Street to Delaware Street;

McCarty Street, on the south side, from Kenwood Avenue to Delaware Street;

McCarty Street, on both sides, from New Jersey Street to East Street.

SECTION 6. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

New Jersey Street, on the west side, from McCarty Street to Norwood Street.

SECTION 7. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 11	Home Pl. & E. Merrill St.	E. Merrill St.	STOP
32, Pg. 15	E. Merrill St. & S. New Jersey St.	E. Merrill St.	STOP
32, Pg. 11	Home Pl. & E. Norwood St.	E. Norwood St.	STOP
32, Pg. 16	S. New Jersey St. & E. Norwood St.	S. New Jersey St.	STOP
32, Pg. 1	S. Alabama St. & E. Norwood St.	NONE	STOP
32, Pg. 1	S. Alabama St. & E. McCarty St.	NONE	SIGNAL
32, Pg. 1	S. Alabama St. & Bicking St.	Bicking St.	STOP
32, Pg. 3	Bicking St. & High St.	Bicking St.	STOP
32, Pg. 3	Bicking St. & S. New Jersey St.	Bicking St.	STOP
32, Pg. 3	Bicking St. & S. Delaware St.	S. Delaware St.	STOP
32, Pg. 3	Bicking St. & S. East St.	S. East St.	STOP

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 72, 1985. This proposal extends certain services to the Acting Director of the Housing Authority. Councillor Borst explained that until proper legislation is passed by the General Assembly, the various departments of city government can only extend these services on an emergency basis. This resolution allows the city departments to implement various services immediately. There were technical amendments passed by the Committee. The Metropolitan Development Committee on February 20, 1985, recommended Proposal No. 72, 1985, Do Pass As Amended, by a vote of 7-0. Councillor Borst moved the following amendment, seconded by Councillor Clark:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 72, 1985, as amended, Section 1, to read as follows:

SECTION 1. The City-County Council authorizes the Mayor of the City of Indianapolis to extend the following services to the Indianapolis Housing Authority in order to implement the Council's recommendations for public housing:

Department of Transportation - repair of streets within various housing Projects;
Department of Public Works - trash removal, cleaning of storm and sanitary sewers at all projects;

Department of Public Safety - increased police patrol in all projects, fire prevention inspections of hydrants, fire extinguishers in all projects;

Department of Parks and Recreation - increased recreational activities in all projects, ~~recreation facilities, playgrounds, swimming pools, tennis courts, golf courses, etc.~~

Department of Administration - services of divisions of personnel, finance, and legal to assist in administration;

Department of Metropolitan Development - management assistance and support staff as necessary for the implementation of changes recommended by the acting executive director.

s/Councillor Borst

The amendment passed on the following roll call vote; viz:

19 AYES: Borst, Campbell, Clark, Cottingham, Curry, Durnil, Giffin, Gilmer, Holmes, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, West

4 NAYS: Coughenour, Dowden, Journey, Strader

6 NOT VOTING: Boyd, Bradley, Crowe, Hawkins, Howard, Schneider

Councillor Borst moved, seconded by Councillor Rader for adoption. Proposal No. 72, 1985, as amended, was adopted on the following roll call vote; viz:

24 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West

2 NAYS: Clark, Schneider

3 NOT VOTING: Dowden, Durnil, Howard

Proposal No. 72, 1985, as amended, was retitled GENERAL RESOLUTION NO. 4, 1985, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 4, 1985

A GENERAL RESOLUTION concerning the Indianapolis Housing Authority.

WHEREAS, the City-County Council has made certain recommendations concerning the future of public housing in Indianapolis; and

WHEREAS, the implementation of these recommendations entails substantial state legislative changes, which will take several weeks to accomplish; and

WHEREAS, the current situation of public housing demands that certain steps be taken immediately in order to prevent further deterioration and disruption of services; and

WHEREAS, the Mayor of the City of Indianapolis is attempting to implement the Council's recommendations; and

WHEREAS, I.C. 36-7-19 permits a political subdivision to extend aid to a housing authority which operates within the jurisdiction of the political subdivision, upon terms determined by the fiscal body of the political subdivision; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council authorizes the Mayor of the City of Indianapolis to extend the following services to the Indianapolis Housing Authority in order to implement the Council's recommendations for public housing:

Department of Transportation - repair of streets within various housing projects;
Department of Public Works - trash removal, cleaning of storm and sanitary sewers at all projects;
Department of Public Safety - increased police patrol in all projects, fire prevention inspections of hydrants, fire extinguishers in all projects;
Department of Parks and Recreation - increased recreational activities in all projects;
Department of Administration - services of divisions of personnel, finance, and legal to assist in administration;
Department of Metropolitan Development - management assistance and support staff as necessary for the implementation of changes recommended by the acting executive director.

SECTION 2. The City-County Council authorizes the Mayor of the City of Indianapolis to furnish these services without compensation from the adoption of this resolution until September 1, 1985, at which time the Council shall review the terms under which services will be furnished.

SECTION 3. The above stated authorization shall cease to be in effect after September 1, 1985, unless extended by the City-County Council.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL SERVICE DISTRICT COUNCILS

There being no business before any of the Special Service District Councils, none of the Special Service District Councils convened.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business and upon motion duly made and seconded, the meeting adjourned at 8:55 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 25th day of February, 1985.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President



Clerk of the City-County Council

ATTEST:

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND SPECIAL SERVICE DISTRICT COUNCILS
OF INDIANAPOLIS, MARION COUNTY, INDIANA**

REGULAR MEETINGS - MONDAY, MARCH 11, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:05 p.m., on Monday, March 11, 1985, with Councillor SerVaas presiding.

The meeting was opened with a prayer and the Pledge of Allegiance to the Flag by Councillor Ray Crowe.

ROLL CALL

Councillor SerVaas instructed the Clerk to take the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

Twenty-nine members being present, he announced a quorum was present.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Holmes introduced Bob Williamson and Lora Henry from Decatur High School. He also introduced the Fifth Grade Class and their teachers and parents from Lew Wallace School No. 107, who won a national essay contest. Councillor West introduced one of three county commissioners from Hendricks County, Mr. Richard Himsel. Mr. Himsel made the following statement with regard to resource recovery and the Danville Landfill:

Dear Council Members:

"Recent discussion concerning methods for disposal of Marion County's solid waste recommended that Marion County simply transport their waste to the Danville landfill. In exploring the Danville option, the Indianapolis Department of Public Works and the Public Works Committee of the City-County Council solicited comments from the Hendricks County Commissioners, and based upon our discussion asked us to present our comments to you.

"This disposal of waste in the old community dumps became unacceptable during the 1960's and these dumps were being closed by the Indiana State Board of Health. To provide a solution for the disposal of solid waste in Hendricks County, the Danville landfill was sited in 1970. The Danville site is centrally located for Hendricks County, geologically sound and sufficiently sized to accommodate the long term disposal needs of Hendricks County.

"It is our opinion that the Danville landfill was principally established to meet the disposal needs of Hendricks County. We do not want to see the Danville landfill become the total waste disposal solution for Marion County or the surrounding counties. If the Danville landfill receives additional amounts of trash, it will shorten the life of the landfill, thereby shortening our solution to the waste disposal problems in Hendricks County. Also, total reliance upon the Danville landfill may create a monopoly, thereby increasing prices. The Danville landfill is privately owned and, therefore it becomes important to maintain competition by having several disposal sites available.

"In addition to the problem of shorten landfill life and potential increased cost, we have also found that our citizens are upset with the possibility that the Danville landfill would become Marion County's dumping ground. Citizens opposition to receiving the Marion County waste could become as difficult for us as siting a new Marion County landfill was for Mayor Hudnut and the City-County Council.

"There is a close relationship between the different local communities in Central Indiana with regard to solid waste disposal since solid waste is transported and disposed of without regard to political jurisdiction. This relationship is not clearly recognized by the citizens within the Indianapolis region nor by all their elected officials. With the demise of the Indiana Heartland Coordinating Commission, we in Central Indiana do not even have a forum to discuss this multi-jurisdiction issue.

"There are a great many questions that need to be answered before determining the best solid waste disposal facility and its management structure. Because there is a strong interrelationship between the different local units of government and solid waste disposal, it is important to look at regional solutions.

"We are willing to explore various options in order to address our mutual solid waste disposal problems. However, we are unwilling to simply designate the Danville landfill as the regional solid waste disposal solution for Central Indiana."

Councillor McGrath introduced Mr. Robert Sare, the Council's appointee to the Community Centers of Indianapolis Board. He also introduced several of the Township Fire Department Chiefs. Councillor Coughenour introduced the Fire Chief of Beech Grove. Councillor Journey pointed out that Councillor Howard received the award for "The Most Colorful Councillor" of 1984. Councillor SerVaas introduced his son, Eric SerVaas and his wife, Dr. Cory SerVaas. Dr. Cory SerVaas told the councillors that smoking was very bad for them, and she passed out Nicarret Gum, that should help them decrease the number of cigarettes they smoke.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

**TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE,
FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT
COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,
INDIANA:**

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, March 11, 1985, at 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

**s/Beurt SerVaas, President
City-County Council**

February 26, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on February 28, 1985, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 94, 96, 97, and 98, 1985, with a corrected copy of Proposal 96, on March 1, 1985, to be held on Monday, March 11, 1985, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

March 3, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 11, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Five Hundred Thousand Dollars (\$500,000) in the County Cumulative Building Fund for purposes of the Marion County Auditor and reducing the unappropriated and unencumbered balance in the County Cumulative Building Fund.

FISCAL ORDINANCE NO. 12, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Five Hundred Thousand Dollars (\$500,000) in the County General Fund for purposes of the Marion County Sheriff and reducing certain other appropriations for the Marion County Auditor.

FISCAL ORDINANCE NO. 13, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twenty-eight Thousand Three Hundred Seventy-five Dollars (\$28,375) in the County General Fund for purposes of the Marion County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 14, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Seventy-eight Thousand Six Hundred Ninety-six Dollars (\$78,696) in the County General Fund for purposes of the Superior Court, Criminal Divisions and reducing certain other appropriations for that division.

FISCAL ORDINANCE NO. 15, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the Marion County Superior Court - Juvenile Division.

GENERAL ORDINANCE NO. 13, 1985, establishing procedures for reviewing the county option income tax, local homestead credits and cumulative development funds and allocations of revenues for the budgeting process.

GENERAL ORDINANCE NO. 14, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

GENERAL ORDINANCE NO. 15, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 16, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 17, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 18, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 19, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 20, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets and Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

GENERAL ORDINANCE NO. 21, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-136, Alteration of prima facie speed limits.

GENERAL ORDINANCE NO. 22, 1985, amending the "Code of Indianapolis and Marion County, Indiana", changing parking controls on portions of McCarty Street.

SPECIAL ORDINANCE NO. 6, 1985, superceding and repealing City-County Special Ordinance No. 57, 1984, and authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bond (Turnverein Partners Project) in the principal amount of Four Million Four Hundred Fifty Thousand Dollars (\$4,450,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 7, 1985, authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bond Series 1985 (Cloverleaf Properties Project) in the principal amount of Three Hundred Fifty Thousand Dollars (\$350,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 8, 1985, authorizing the modification of the financing concerning the previously issued City of Indianapolis, Indiana First Amendment and Restated Economic Development First Mortgage Revenue Bond, Series 1984 (Ober Project).

SPECIAL ORDINANCE NO. 9, 1985, designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

GENERAL RESOLUTION NO. 4, 1985, concerning the Indianapolis Housing Authority.

SPECIAL RESOLUTION NO. 11, 1985, expresses appreciation to the United States Gymnastic Federation for their help in Indianapolis' efforts to become the Amateur Sports Capital of the United States.

SPECIAL RESOLUTION NO. 12, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 13, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 14, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 15, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 16, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 17, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 18, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

Respectfully submitted,

s/William H. Hudnut, III

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL REOLUTIONS --

PROPOSAL NO. 54, 1985. This proposal was introduced by Councillors Clark, Giffin, Borst, Shaw and Crow and it concerns the siting of a landfill in Marion County, Indiana. Councillor West stated that the Public Works Committee held a meeting on February 28, 1985, at which time the committee listened to five hours of expert and public testimony. Technical amendments were made to bring the proposal up-to-date and the Public Works recommends Proposal No. 54, 1985, to the full Council with a "Do Pass As Amended" recommendation by a vote of 4-0. Councillor Clark offered the following amendment:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 54, 1985, the fifth "WHEREAS" clause to read as follows:

WHEREAS, there exists potentially harmful and irreversable economic, social, ecological and environmental effects resulting from the establishment of a landfill in the County as ~~proposed~~ proposed by the Department; and

Councillor Clark

Consent was given to the above-described amendment and Councillor West moved, seconded by Councillor Clark for adoption. Proposal No. 54, 1985, as amended was adopted by unanimous voice vote and retitled SPECIAL RESOLUTION NO. 20, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 20, 1985

A SPECIAL RESOLUTION concerning the siting of a landfill in Marion County, Indiana.

WHEREAS, the City of Indianapolis, through its Department of Public Works, had expressed its intention to establish a landfill in Decatur, Franklin or Warren Townships; and

WHEREAS, the Department of Public Works has conducted a public meeting at each of the townships at which strong citizen opposition to the siting of a landfill was expressed; and

WHEREAS, many serious questions have been raised by the City concerning the technical, environmental and economic soundness of the proposed plan; and

WHEREAS, there have been shown to exist potentially viable alternatives to the siting of a public landfill in Marion County; and

WHEREAS, there exists potentially harmful and irreversable economic, social, ecological and environmental effects resulting from the establishment of a landfill in the County as proposed by the Department; and

WHEREAS, no emergency now exists requiring the City to act before a full and complete analysis has been undertaken; and

WHEREAS, the issue of solid waste management is one demanding widespread citizen input and may be addressed through a public/private partnership; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Mayor and City-County Council direct the Department of Public Works to cease all attempts to site a new landfill within Marion County.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 74, 1985. This proposal appoints Robert Sare to the Community Centers of Indianapolis Board. Councillor Stewart stated that Mr. Sare is a resident of Marion County, District No. 20. He appeared before the Community Affairs Committee and assured them that he had the time and effort to dedicate to this position. The Community Affairs Committee on March 7, 1985, recommended Proposal No. 74, 1985, Do Pass by a vote of 6-0. Councillor Stewart moved, seconded by Councillor McGrath for adoption. Proposal No. 74, 1985, was adopted by unanimous voice vote and retitled COUNCIL RESOLUTION NO. 9, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 9, 1985

A COUNCIL RESOLUTION appointing Robert Sare to the Community Centers of Indianapolis Board.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. As a member of the Community Centers of Indianapolis Board the Council appoints:

ROBERT SARE

SECTION 2. The foregoing appointment shall be for a term of one (1) year beginning upon passage of this proposal, at the pleasure of the Council, and until his respective successor is appointed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 118, 1985. This proposal honors the Fifth Grade Class of Lew Wallace School No. 107. Councillor Holmes explained that this fifth grade class competed against 1,000 other entries and won a national essay contest "Know Your Presidents". Councillor Holmes read the resolution and introduced all the children, their teacher, Mrs. Lora Spargue and their principal, Dr. Maurice Schankerman. Councillor Holmes moved, seconded by Councillor Howard for adoption. Proposal No. 118, 1985, was adopted by unanimous voice vote and retitled SPECIAL RESOLUTION NO. 19, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 19, 1985

A SPECIAL RESOLUTION honoring the Fifth Grade Class of Lew Wallace School No. 107.

WHEREAS, the Fifth Grade Class of Lew Wallace School No. 107 researched, designed, prepared, wrote and entered an essay in the national essay contest "Know Your Presidents"; and

WHEREAS, the essay submitted by the students was included among one thousand (1,000) other entries from around the country for consideration to be judged by a panel of experts; and

WHEREAS, the essay composed and submitted by the Fifth Grade Class of Lew Wallace School No. 107 titled "Our Most Admired President" was judged the best essay in the entire nation; and

WHEREAS, the students received a one week class trip to Washington, D.C. as their award for excellence; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis-Marion County City-County Council honors and congratulates the Fifth Grade Class of Lew Wallace School No. 107 for its outstanding achievement as national champion of the "Know Your Presidents" essay contest.

SECTION 2. The City-County Council specifically recognizes and applauds students Tamyra Anderson, Amy Augenstein, Annjatica Beasley, Jill Bell, Harry Brotherton, Jason Buchanan, Robert Burman, Jennifer Collins, Michelle Craig, Brooke DeJaeger, Charles Edwards, Michelle Fox, Lonnie Fultz, Melissa Greathouse, Jason Gryzowka, Dawn Herbstreit, Travis Krick, Jimmy Lamaster, David Ott, Lilia Park, Aashish Patel, Beth Penn, Billy Pickard, Don Pieper, Anthony Roach, Jennifer Roach, Joy Rowland, Angela Smith and Connease Warren; teacher Mrs. Lora Spargur, and Principal Dr. Maurice Schankerman.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 108, 1985. Introduced by Councillor Stewart. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing changes in the personnel compensation schedule for the Marion County Guardian Home"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 109, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$28,060 for various county agencies to increase the salaries of county employees earning less than \$10,000"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 110, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE appropriating \$84,600 for the Police Division for over-time, equipment and training expenses which will be reimbursed"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 111, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$12,849 for the Juvenile Detention Center for plaintiff attorney fees"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 112, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$460,756 for the Prosecutor's Child Support Agency for the Summer Project and the Automatic Data Processing System Upgrade Project"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 113, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$25,000 for the Prosecutor's Child Support Agency for consulting services for the Electronic Funds Transfer Pilot Project"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 114, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$18,230 for the Marion County Prosecutor and Auditor for the Latchkey Services Coordination Project"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 115, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$22,000 for the Prosecutor for a federal training grant and the White Collar Crime and Public Corruption Investigations"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 116, 1985. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing

intersection controls at Beechwood and Fenton Avenues"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 117, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning the transportation of hazardous cargo"; and the President referred it to the Transportation Committee.

MODIFICATION OF SPECIAL ORDERS

PROPOSAL NO. 119, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$300,000 for the Marion County Auditor for the renovation of the Juvenile Detention Center"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 124, 1985. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Daniel Whitmore to the Information Services Agency Management Board"; and the President referred it to the County and Townships Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 120-123, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on March 8, 1985". No action was taken by the Council; and the proposals were deemed adopted. Proposal Nos. 120-123, 1985, were retitled REZONING ORDINANCE NOS. 28-31, 1985, and read as follows:

**REZONING ORDINANCE NO. 28, 1985 84-Z-219 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
8410 MICHIGAN ROAD, INDIANAPOLIS**

Group Americal, Inc., by Scott A. Lindquist, requests the rezoning of 5.08 acres, being in the D-3 district, to the C-S classification, to provide for the construction and operation of a gift mart which displays and sells gift wares to wholesale buyers on a limited basis.

**REZONING ORDINANCE NO. 29, 1985 85-Z-10 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20
5010 SOUTH EAST STREET, INDIANAPOLIS**

Charles I. and Donna L. Seedorf, et al, by William F. LeMond, request the rezoning of 3.63 acres, being in the D-3 district, to the C-6 classification, to provide for the construction of a Budgetel Inn and a restaurant.

**REZONING ORDINANCE NO. 30, 1985 85-Z-14 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
6450 SOUTH BELMONT AVENUE, INDIANAPOLIS**

L & E Engineering Company, Inc., by David Konnersman, requests the rezoning of 8.0 acres, being in the A-2 district, to the I-2-S classification, to conform zoning to its use as a small aircraft parts manufacturing plant and to permit an addition.

**REZONING ORDINANCE NO. 31, 1985 85-Z-25 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 7
5401 NORTH KEYSTONE AVENUE, INDIANAPOLIS**

Norman E. Wiese, et al, by William F. LeMond, request the rezoning of 3.03 acres, being in the D-4, C-4 and C-5 districts, to the C-5 classification, to provide for outdoor automobile sales.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 55, 1985. This proposal appropriates \$50,000 for the Central Equipment Management Division to purchase land for the new garage facility. This proposal has not been heard in committee and consent was given to postpone action until the March 26, 1985, Council meeting.

PROPOSAL NO. 56, 1985. This proposal appropriates \$1,622 for the Clerk of the Circuit Court for salary expenses to be reimbursed by the Federal IV-D Program. Councillor Cottingham explained that this is a pilot program being funded by a government grant and the Clerk of the Circuit Court is working in cooperation with the Prosecutor's Office. The County and Townships Committee on March 5, 1985, recommended Proposal No. 56, 1985, Do Pass by a vote of 6-0. The President called for public testimony at 7:46 p.m. There being no one present to testify, Councillor Cottingham moved, seconded by Councillor Gilmer for adoption. Proposal No. 56, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Durnil, Page

Proposal No. 56, 1985, was retitled FISCAL ORDINANCE NO. 16, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 16, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional One Thousand Six Hundred Twenty-two Dollars (\$1,622) in the County General Fund for purposes of the Marion County Clerk of the Circuit Court and reducing the unappropriated and unencumbered balance in the County General Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(3) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for salary expenses to be reimbursed by the Federal IV-D Program and to adjust the personnel schedule.

SECTION 2. The sum of One Thousand Six Hundred Twenty-two Dollars (\$1,622) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

CLERK OF THE CIRCUIT COURT	COUNTY GENERAL FUND
1. Personal Services	<u>\$1,622</u>
TOTAL INCREASE	\$1,622

SECTION 4. The said additional appropriations are funded by the following reductions:

CLERK OF THE CIRCUIT COURT	COUNTY GENERAL FUND
Unappropriated and Unencumbered	
County General Fund	<u>\$1,622</u>
TOTAL REDUCTION	\$1,622

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(3) CLERK OF THE CIRCUIT COURT - Dept. 07

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	35,355	35,355
Chief Deputy	1	26,045	26,045
Chief Clerk	1	24,513	24,513
Sr. Admin. Asst.	2	23,530	41,513 <u>43,286</u>
Admin. Asst.	1	18,375	14,524 <u>20,378</u>
Supervisor	10	18,375	114,444 <u>120,000</u>
Asst. Supervisor	6	16,120	64,000
Clerk Specialist I	8	14,700	77,885
Clerk Specialist II	45	13,650	472,669
Clerk Specialist III	50	11,466	455,671
Temporary			30,000
Vacancy Factor	_____		(25,000) <u>(31,000)</u>
TOTAL	125	1,136,180 <u>1,338,802</u>	

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 94, 1985. This proposal appropriates \$75,000 for the County Auditor to purchase voting machines. Councillor Cottingham stated that the funds being used are County Cumulative Capital Development Funds and that prior to the 1986 Primary Election more voting machines will need to be purchased for the new precincts that were established. The County and Townships Committee on March 5, 1985, recommended Proposal No. 94, 1985, Do Pass by a vote of 6-0. The President called for public testimony at 7:49 p.m. There being no one present to testify, Councillor Cottingham moved, seconded by Councillor Hawkins for adoption. Proposal No. 94, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

1 NAY: *Howard*

1 NOT VOTING: *Holmes*

Proposal No. 94, 1985, was retitled FISCAL ORDINANCE NO. 17, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 17, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Seventy-five Thousand Dollars (\$75,000) in the County Cumulative Capital Development Fund for purposes of the Marion County Auditor and reducing the unappropriated and unencumbered balance in the County Cumulative Capital Development Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02(a)(2) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds to purchase voting machines.

SECTION 2. The sum of Seventy-five Thousand Dollars (\$75,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:
MARION COUNTY AUDITOR COUNTY CUMULATIVE CAPITAL DEV. FUND

4. Capital Outlay	<u>\$75,000</u>
TOTAL INCREASE	\$75,000

SECTION 4. The said additional appropriations are funded by the following reductions:

MARION COUNTY AUDITOR COUNTY CUMULATIVE CAPITAL DEV. FUND

Unappropriated and Unencumbered	
County Cumulative Capital Dev. Fund	<u>\$75,000</u>
TOTAL REDUCTION	\$75,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 96, 1985. This proposal appropriates \$6,167 for Criminal Division - Room V to fund a Grand Jury Bailiff. Councillor Dowden explained that this proposal moves the Grand Jury Bailiff from Criminal Division, Room III to Criminal Division, Room V. The Public Safety and Criminal Justice Committee on February 27, 1985, recommended Proposal No. 96, 1985, Do Pass by a vote of 9-0. The President called for public testimony at 7:51 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst for adoption. Proposal No. 96, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Cottingham

Proposal No. 96, 1985, was retitled FISCAL ORDINANCE NO. 18, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 18, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Six Thousand One Hundred Sixty-seven Dollars (\$6,167) in the County General Fund for purposes of the Superior Court - Criminal Division - Room V and reducing certain other appropriations for Superior Court - Criminal Division - Room III.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(9 and 11) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds and grand jury bailiff to the appropriate court.

SECTION 2. The sum of Six Thousand One Hundred Sixty-seven Dollars (\$6,167) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

CRIMINAL DIVISION - ROOM V	COUNTY GENERAL FUND
1. Personal Services	<u>\$6,167</u>
TOTAL INCREASE	\$6,167

SECTION 4. The said additional appropriations are funded by the following reductions:

CRIMINAL DIVISION - ROOM III	COUNTY GENERAL FUND
1. Personal Services	<u>\$6,167</u>
TOTAL REDUCTION	\$6,167

SECTION 5. The personnel schedules are hereby amended by deleting the cross-hatched portions and adding the new amounts as underlined herein:

(9) SUPERIOR COURT - CRIMINAL DIVISION - ROOM THREE - Dept. 41

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,153	17,153
Court Reporters	2	17,845	35,690
Bailiffs	2	16,538	29,152
Chief Clerk	1	16,922	16,922
Record Clerks	2	12,900	25,800
Master Commissioner	1	19,232	19,232
Secretary	1	14,574	14,574
Grand Jury Bailiff	1 0	13,116 0	13,116 0
Public Defenders	1	13,116	13,116
Temporary Salaries			<u>2,000</u>
TOTAL	<u>12 11</u>	<u>182,577</u>	<u>176,410</u>

(11) SUPERIOR COURT - CRIMINAL DIVISION - ROOM FIVE - Dept. 61

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,153	17,153
Bailiffs	2	14,871	29,170
Court Reporters	2	17,846	35,692
Chief Clerk	1	16,921	16,921
Record Clerk	1	12,312	12,312
Court Clerk	1	12,312	12,312

Secretary	1	14,573	14,573
Master Commissioner	1	19,231	19,231
<u>Grand Jury Bailiff</u>	<u>/0 1</u>	<u>/0/ 8,938</u>	<u>/0 8,938</u>
Temporary			2,000
<u>Vacancy Factor</u>			<u>/0 (2,771)</u>
 TOTAL	 <u>10/ 11</u>	 <u>159,184/ 165,531</u>	

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 97, 1985. This proposal appropriates \$12,781 for the Circuit Court for an additional bailiff to be reimbursed by Title IV-D Funds. Councillor Dowden explained that there has been an increasing workload of "IV-D cases" in the Circuit Court. The salary of the bailiff will be reimbursed 70% by the State Department of Public Welfare and the increased speed in processing the cases will increase the incentive revenue to the County thereby funding the remaining 30% of the salary. The Public Safety and Criminal Justice Committee on February 27, 1985, recommended Proposal No. 97, 1985, Do Pass by a vote of 9-0. The President called for public testimony at 7:52 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Nickell for adoption. Proposal No. 97, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader

NO NAYS

2 NOT VOTING: Curry, West

Proposal No. 97, 1985, was retitled FISCAL ORDINANCE NO. 19, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 19, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twelve Thousand Seven Hundred Eighty-one Dollars (\$12,781) in the County General Fund for purposes of the Marion County Circuit Court and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(21) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for an additional bailiff to be reimbursed by IV-D and additional incentive revenues received by Marion County.

SECTION 2. The sum of Twelve Thousand Seven Hundred Eighty-one Dollars (\$12,781) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:	
CIRCUIT COURT	COUNTY GENERAL FUND
1. Personal Services	<u>\$12,781</u>
TOTAL INCREASE	\$12,781

SECTION 4. The said additional appropriations are funded by the following reductions:	
CIRCUIT COURT	COUNTY GENERAL FUND
Unappropriated and Unencumbered	
County General Fund	<u>\$12,781</u>
TOTAL REDUCTION	\$12,781

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(21) CIRCUIT COURT - Dept. 50

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judge	1	17,153	17,153
Court Reporters	2	18,657	37,314
Bailiffs	<u>4/5</u>	15,037	38,094 <u>54,001</u>
Court Commissioners	5	15,320	42,052
Master Commissioner	1	21,000	21,000
<u>Vacancy Factor</u>			<u>7 (2,256)</u>
TOTAL	<u>13 14</u>		173,648 <u>169,264</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL SERVICE DISTRICT COUNCILS

POLICE SPECIAL SERVICE DISTRICT COUNCIL

The President called the Police Special Service District Council to order at 7:53 p.m. Twenty-nine members being present, he announced a quorum.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 98, 1985. This proposal appropriates \$308,909 for the Police Division to purchase vehicles. Councillor Dowden stated that approximately 100 cars will be leased/purchased (a three-year lease with a \$1 "buy-out") after three years) and the \$308,909 appropriation represents lease payments for the current year. The Police Division intends to purchase 75 full-size Ford LTD "police package"; 15 mid-size Ford LTD "police package" and 10 Chevrolet Impalas. The Public Safety and Criminal Justice Committee on February 27, 1985, recommended Proposal No. 98, 1985, Do Pass by a vote of 9-0. The President called for public testimony at 7:55 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst for adoption. Proposal No. 98, 1985, was adopted on the following roll call vote; viz:

29 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

Proposal No. 98, 1985, was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1985, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1985

A FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1985 (P.S.S.D. Fiscal Ordinance No. 3, 1984) appropriating an additional Three Hundred Eight Thousand Nine Hundred Nine Dollars (\$308,909) in the City Cumulative Capital Development Fund for purposes of the Department of Public Safety, Police Division and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

**BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Police Special Service District Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds to purchase police vehicles.

SECTION 2. The sum of Three Hundred Eight Thousand Nine Hundred Nine Dollars (\$308,909) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:
DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION	CITY CUMULATIVE CAPITAL DEV. FUND
3. Other Services & Charges	<u>\$308,909</u>
TOTAL INCREASE	<u>\$308,909</u>

SECTION 4. The said additional appropriations are funded by the following reductions:	
DEPARTMENT OF PUBLIC SAFETY	
POLICE DIVISION	CITY CUMULATIVE CAPITAL DEV. FUND
Unappropriated and Unencumbered	
City Cumulative Capital Dev. Fund	<u>\$308,909</u>
TOTAL REDUCTION	<u>\$308,909</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

There being no further business the Police Special Service District Council adjourned at 8:03 p.m.

President SerVaas reconvened the meeting of the City-County Council at 8:03 p.m.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business and upon motion duly made and seconded, the meeting adjourned at 8:04 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis, Police, Fire and Solid Waste Collection Special Service District Councils on the 11th day of March, 1985.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.


President


Clerk of the City-County Council

ATTEST:

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND SPECIAL SERVICE DISTRICT COUNCILS
OF INDIANAPOLIS, MARION COUNTY, INDIANA**

REGULAR MEETINGS - TUESDAY, MARCH 26, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:07 p.m., on Tuesday, March 26, 1985, with Councillor SerVaas presiding.

The meeting was opened with a prayer and the Pledge of Allegiance to the Flag by Councillor Betty Stewart.

ROLL CALL

Councillor SerVaas instructed the Clerk to take the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West
ABSENT: Clark, Giffin, Page, Schneider

Twenty-five members being present, he announced a quorum was present.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

**TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE,
FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT
COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,
INDIANA:**

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Tuesday, March 26, 1985, at 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

s/Beurt SerVaas, President
City-County Council

March 12, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on March 14, 1985, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 109, 110, 112, 113, 114, 115, and 119, 1985, to be held on Tuesday, March 26, 1985, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

March 12, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on March 14, 1985, a copy of LEGAL NOTICE of General Resolution No. 3, 1985.

Respectfully,

s/Beverly S. Rippy
City Clerk

March 20, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 16, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional One Thousand Six Hundred Twenty-two Dollars (\$1,622) in the County General Fund for purposes of the Marion County Clerk of the Circuit Court and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 17, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Seventy-five Thousand Dollars (\$75,000) in the County Cumulative Capital Development Fund for purposes of the Marion County Auditor and reducing the unappropriated and unencumbered balance in the County Cumulative Capital Development Fund.

FISCAL ORDINANCE NO. 18, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Six Thousand One Hundred Sixty-seven Dollars (\$6,167) in the County General Fund for purposes of the Superior Court - Criminal Division - Room V and reducing certain other appropriations for Superior Court - Criminal Division - Room III.

FISCAL ORDINANCE NO. 19, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Twelve Thousand Seven Hundred Eighty-one Dollars (\$12,781) in the County General Fund for purposes of the Marion County Circuit Court and reducing the unappropriated and unencumbered balance in the County General Fund.

SPECIAL RESOLUTION NO. 19, 1985, honoring the Fifth Grade Class of Lew Wallace School No. 107.

SPECIAL RESOLUTION NO. 20, 1985, concerning the siting of a landfill in Marion County, Indiana.

Respectfully submitted,

s/William H. Hundut, III

March 20, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
POLICE SPECIAL SERVICE DISTRICT COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the Police Special Service District Council, Mrs. Beverly S. Rippy, the following ordinance:

FISCAL ORDINANCE NO. 1, 1985, amending the Police Special Service District Annual Budget for 1985 (P.S.S.D. Fiscal Ordinance No. 3, 1984) appropriating an additional Three Hundred Eight Thousand Nine Hundred Nine Dollars (\$308,909) in the City Cumulative Capital Development Fund for purposes of the Department of Public Safety, Police Division and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

Respectfully submitted,

s/William H. Hundut, III

**PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND
COUNCIL RESOLUTIONS --**

Councillor Miller requested that Proposal No. 124, 1985, be moved forward on the agenda to be heard at this time. Consent was given to this request.

PROPOSAL NO. 124, 1985. This proposal appoints Dan Whitmore to the Information Services Agency Management Board. Councillor Cottingham reported that the County and Townships Committee recommended Proposal No. 124, 1985, on March 20, 1985, Do Pass by a vote of 5-0. Mr. Whitmore has been involved in data processing for more than twenty years and would very much like to serve on the Information Services Agency Management Board. Councillor Cottingham moved, seconded by Councillor Miller for adoption. Proposal No. 124, 1985, was adopted by unanimous voice vote and retitled COUNCIL RESOLUTION NO. 10, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 10, 1985

A COUNCIL RESOLUTION appointing Dan C. Whitmore to the Information Services Agency Management Board.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. As a member of the Information Services Agency Management Board the Council appoints:

DAN C. WHITMORE

SECTION 2. The foregoing appointment shall be for a term of one (1) year beginning upon passage of this proposal, at the pleasure of the Council, and ending December 31, 1985, or when his respective successor is appointed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 144, 1985. This proposal honors Wayne Township Volunteer Fire Department Firefighters Lieutenant Jeffrey Wilson, Private Tony Buckrop and Lieutenant Brian Griffith. Councillor McGrath read the resolution and co-sponsors Councillors Coughenour and Cottingham presented framed copies to

the firefighters present. Councillor McGrath moved, seconded by Councillor Cottingham for adoption. Proposal No. 144, 1985, was adopted by unanimous voice vote and retitled SPECIAL RESOLUTION NO. 21, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 21, 1985

A SPECIAL RESOLUTION honoring Wayne Township Volunteer Fire Department Firefighters Lieutenant Jeffery Wilson, Private Tony Buckrop and Lieutenant Brian Griffith.

WHEREAS, a totally devastating residential dwelling fire occurred at midnight on December 11, 1984 at 1436 North High School Road; and

WHEREAS, in responding to the call firefighters Lieutenant Jeffrey Wilson, Private Tony Buckrop and Lieutenant Brian Griffith endangered their own lives for the welfare of others by ascending to the second level of the dwelling engulfed in flames to retrieve three trapped children; and

WHEREAS, these three firefighters have been placed in the American Red Cross Hall of Fame in recognition of their valiant and courageous attempt to save the lives of others; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis-Marion County City-County Council recognizes and honors firefighters:

**LIEUTENANT JEFFREY WILSON
PRIVATE TONY BUCKROP
LIEUTENANT BRIAN GRIFFITH**

SECTION 2. The Council further holds these men in esteem for the community as a whole to look up to as an example of citizenship at its finest.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 145, 1985. This proposal memorializes Bernice Fraction. Councillor Boyd read the proposal and introduced Georgette Fraction, daughter; John Robert Fraction, son and Jon Charles Thomas, grandson of the late Bernice Fraction. Councillor Boyd also introduced Lydia Morrow, a representative of the Mapleton-Fall Creek Board of Directors of which Mrs. Bernice Fraction was a

very active member. Councillor Boyd moved, seconded by Councillor West for adoption. Proposal No. 145, 1985, was adopted by unanimous voice vote and retitled SPECIAL RESOLUTION NO. 22, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 22, 1985

A SPECIAL RESOLUTION memorializing Bernice Fraction.

WHEREAS, Bernice Fraction passed away Friday, March 8, 1985; and

WHEREAS, Ms. Fraction's operatic voice filled concert halls, churches and theaters, in programs locally, nationally and internationally for many years; and

WHEREAS, Bernice Fraction's lyric-soprano tones were heard many times in operas, at the Indianapolis Symphonic Choir, the Indianapolis Opera, the Indianapolis Symphony, the Washington Opera, the Washington Symphony, for the past seven years at the Governor's Annual Prayer Breakfast, and at her own North United Methodist Church; and

WHEREAS, at an early age Bernice Fraction recognized her talent as a gift from God and so dedicated it for the rest of her life; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council conveys its condolences to the family of Bernice Fraction.

SECTION 2. The City-County Council records its appreciation and gratitude for Ms. Bernice Fraction's sharing her wonderful and gifted talent with her friends, neighbors, our community, the nation, and mankind.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 146, 1985. This proposal recognizes the achievements of the American Business Women's Association and welcomes their 1985 Regional Convention. Councillor Boyd read the resolution and he and Councillor Journey introduced Mrs. Imigene Hines, a representative of the American Business Women's Association and presented to her a framed copy of the resolution. Councillor Boyd moved, seconded by Councillor Journey for adoption. Proposal No. 146, 1985, was adopted by unanimous voice vote and retitled SPECIAL RESOLUTION NO. 23, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 23, 1985

A SPECIAL RESOLUTION recognizing the achievements of the American Business Women's Association and welcoming their 1985 Regional Convention.

WHEREAS, the American Business Women's Association was founded as a means of recognizing and promoting the professional, educational and cultural achievements of American women; and

WHEREAS, in pursuit of this objective the American Business Women's Association has become one of the fastest growing organizations of its type with over two thousand (2,000) chapters and one hundred five thousand (105,000) members in all fifty states and Puerto Rico; and

WHEREAS, the ABWA has continually demonstrated its support of our nations youth by awarding, since the inception of its scholarship fund, over two million dollars (\$2,000,000) in grants and aid; and

WHEREAS, the ABWA offers to all the American public a model and spirit of volunteer service and dedication worthy of our support and emulation; and

WHEREAS, the ABWA will be holding its 1985 regional convention in Indianapolis on April 12-14; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City of Indianapolis recognizes the achievements of the American Business Women's Association and commends it for the considerable contributions made to the American character through the fulfillment of association goals.

SECTION 2. The City of Indianapolis through its elected Council and Mayor extend to the American Business Women's Association warmest welcome, congratulations and wishes for a good future.

SECTION 3. The Mayor is invited to join with the Council in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 132, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$703,580 for the Central Equipment Management Division to acquire replacement vehicles for the Department of Transportation"; and the President referred it to the Administration Committee.

PROPOSAL NO. 133, 1985. Introduced by Councillors SerVaas, Miller, Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Gilmer, Hawkins, Howard, Giffin, Journey, McGrath, Nickell, Page, Rader, Rhodes, Shaw, Stewart, Strader, West. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving the issuance of City of Indianapolis Redevelopment District Bonds of 1985 in the amount of \$45,750,000"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 134, 1985. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the disposal of property by the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 135, 1985. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$650,000 for the Parks Department, Administration Division to upgrade existing facilities"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 136, 1985. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$38,500 for the Parks Department, Administration Division to fulfill the requirements of the Community Development Block Grant Rules"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 137, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$12,000 for the Community Corrections Advisory Board to purchase equipment"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 138, 1985. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving the contract with IPL and the Board of Public Works for the street lights"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 139, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating

\$851,080 for the Department of Transportation to purchase snow removal equipment"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 140, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishes intersection controls in various subdivisions"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 141, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE adding parking controls to a portion of New Jersey Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 142, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishes a loading zone on a portion of Pennsylvania Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 143, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the disposal of property by the Department of Transportation"; and the President referred it to the Transportation Committee.

MODIFICATION OF SPECIAL ORDERS

PROPOSAL NO. 154, 1985. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION recommending that the Council sponsor and arrange a formal forum-symposium on waste disposal"; and the President referred it to the Public Works Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

[Clerk's Note: Councillor Schneider, chairman of the Economic Development Committee was absent at the March 13, meeting of the Committee. Councillor Clark served as Acting Chairman but was also absent from the Council meeting.

Mr. James T. Crawford, Bond Counsel for the City agreed to present the committee report on the following economic development bond issue proposals.”o

PROPOSAL NO. 125, 1985. This is a final bond ordinance authorizing the issuance of \$1,330,000 Economic Development Revenue Bonds for the Community Blood Bank of Marion County, Inc. d/b/a/ Central Indiana Regional Blood Center. Mr. Crawford reviewed the project as the purchase and renovation of an existing building located at 3450 North Meridian Street which will be used to provide the blood service needs of thirteen hospitals in Marion County in addition to twenty-six hospitals in twenty-five counties in Central Indiana. The Bonds are being purchased by Peoples Bank & Trust and Merchants National Bank. The interest rate will be 75½% of the prime rate of interest computed against a maximum prime of 16% from the date of delivery until March 31, 1986. Thereafter, the interest rate is 70% of the prime rate of interest computed against a maximum prime of 16%. The principal will have a fifteen-year maturity and is payable in 180 monthly installments. The final maturity is in the Year 2000. Councillor Gilmer moved, seconded by Councillor Stewart, for adoption. Proposal No. 125, 1985, was adopted on the following roll call vote; viz:

23 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader*

NO NAYS

6 NOT VOTING: *Clark, Giffin, McGrath, Page, Schneider, West*

Proposal No. 125, 1985, was retitled SPECIAL ORDINANCE NO. 10, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 10, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its “Economic Development Revenue Bonds (Community Blood Bank of Marion County, Inc. Project) in the aggregate principal amount of One Million Three Hundred Thirty Thousand Dollars (\$1,330,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Community Blood Bank of Marion County, Inc. d/b/a Central Indiana Regional Blood Center and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on March 13, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Community Blood Bank of Marion County, Inc. d/b/a Central Indiana Regional Blood Center (the "Company") consisting of the acquisition, renovation, installation and equipping of an existing building and the machinery and equipment to be installed therein plus certain site improvements to be located at 3450 North Meridian Street, Indianapolis, Indiana which will be used to provide blood service to hospitals located in central Indiana counties (the "Project") which will be initially owned and operated by Community Blood Bank of Marion County, Inc. d/b/a Central Indiana Regional Blood Center complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Bond Purchase Agreement, Loan Agreement, Mortgage and Security Agreement, First Mortgage Note and the form of the City of Indianapolis Economic Development Revenue Bonds (Community Blood Bank of Marion County, Inc. Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement consisting of the acquisition, renovation, installation and equipping of an existing building and the machinery and equipment to be installed therein plus certain site improvements to be located at 3450 North Meridian Street, Indianapolis, Indiana which will be used to provide blood service to hospitals located in central Indiana counties previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Community Blood Bank of Marion County, Inc. d/b/a Central Indiana Regional Blood Center for the purposes of financing the economic development facilities being acquired, renovated, installed and equipped or to be acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Community Blood Bank of Marion County, Inc. d/b/a Central Indiana Regional Blood Center will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Bond Purchase Agreement, Loan Agreement, Mortgage and Security Agreement, First Mortgage Note and the form of the City of Indianapolis Economic Development Revenue Bonds (Community Blood Bank of Marion County, Inc. Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Bond Purchase Agreement, Loan Agreement, Mortgage and Security Agreement, First Mortgage Note and the form of the City of Indianapolis Economic Development Revenue Bonds (Community Blood Bank of Marion County, Inc. Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds (Community Blood Bank of Marion County, Inc. Project) in the aggregate principal amount of One Million Three Hundred Thirty Thousand Dollars (\$1,330,000) for the purpose of procuring funds to loan to Community Blood Bank of Marion

County, Inc. d/b/a Central Indiana Regional Blood Center in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Community Blood Bank of Marion County, Inc. on its First Mortgage Note in the principal amount of One Million Three Hundred Thirty Thousand Dollars (\$1,330,000), which will be executed and delivered by Community Blood Bank of Marion County, Inc. to evidence and secure said loan, and as otherwise provided in the above described Bond Purchase Agreement and Loan Agreement, Mortgage and Security Agreement. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a rate of interest not to exceed 25% per annum except as provided in the event of a Determination of Taxability when the Taxable Rate (as defined in the Loan Agreement) would take effect.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Bond Purchase Agreement, Loan Agreement, Mortgage and Security Agreement, the City of Indianapolis Economic Development Revenue Bonds (Community Blood Bank of Marion County, Inc. Project), and the Endorsement to the First Mortgage Note approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Bond Purchase Agreement. The Mayor and City Clerk may by their execution of the Bond Purchase Agreement, Loan Agreement, Mortgage and Security Agreement, the Endorsement to the First Mortgage Note and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the First Mortgage Note without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Bond Purchase Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds (Community Blood Bank of Marion County, Inc. Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 126, 1985. This is an inducement resolution amending previously adopted Special Resolution No. 81, 1984, for Horace Mann, an Indiana limited partnership, to increase the amount from \$660,000 to \$875,000. Mr.

Crawford stated that the project is the acquisition and renovation of the former I.P.S. School No. 13 for use as multi-family residential units (located in the Fletcher Place Historic District). The amendment is being requested because costs have exceeded original projections. Councillor Gilmer moved, seconded by Councillor Rader, for adoption. Proposal No. 126, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

5 NOT VOTING: *Clark, Giffin, McGrath, Page, Schneider*

Proposal No. 126, 1985, was retitled SPECIAL RESOLUTION NO. 24, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 24, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Horace Mann, an Indiana limited partnership (the "Company") has previously advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, renovate, and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to provide financing to the Company for the same, said economic development facilities to be the acquisition, renovation, installation and equipping of the vacant former IPS School No. 13 building which would contain approximately 21,400 net leasable square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 714 Buchanan Street, Indianapolis, Indiana, on approximately 0.89 acres of land which will be used as multi-family residential rental housing containing approximately 21 units (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 2 additional jobs at the end of one year and at the end of three years) to be achieved by the acquisition, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the City-County Council on September 10, 1984 adopted Special Resolution No. 81, 1984 which stated in part "The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of

the City ("Issuer") in an approximate amount of \$660,000 under the Act to be privately placed for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to Horace Mann, an Indiana limited partnership (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act"; and

WHEREAS, the Company has advised the City that the costs of the Project have increased and that it wishes to have the dollar amount of Special Resolution No. 81, 1984 increased to \$875,000; and

WHEREAS, it would appear that the increase in the dollar amount of the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of (\$875,000) under the Act to be privately placed for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to Horace Mann, an Indiana limited partnership (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to continue with the acquisition, construction, renovation, installation and equipping of the Project, approved by this City-County Council on September 10, 1984, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires October 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of City-County Special Resolution No. 81, 1984 passed on September 10, 1984, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 127, 1985. This is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Shepard Poorman Communications Corporation in an approximate amount of \$5,500,000. The Company is involved in commercial printing and related graphic arts services and prints approximately seventy periodicals. Most of the Company's business is within the State of Indiana. Mr. Crawford stated that this resolution represents the Company's fourth request for economic development bond financing. Shepard & Poorman have exceeded employment projections on all three of the previously approved projects. The project is to build a 20,000 square foot addition to the Company's existing 61,500 square foot facility located at 7301 North Woodland Avenue. The office and plant areas will be expanded to accommodate an additional prepress and bindery operations. The project includes installation of a substantial amount of new equipment. Estimated costs for the \$5,500,000 project are as follows: \$600,000 building and \$4,900,000 equipment. It is anticipated that most of the equipment will be installed within twenty-four months. The estimated number of additional employment positions at the end of one year total twelve jobs with \$300,150 in additional payroll to the community. The three-year job estimate is fifty positions with \$1,250,600 in additional payroll. Councillor Curry pointed out that the proposal stated only 20 additional positions available in three years and this was considered a technical amendment to change it to the state 50 positions. The company reports a current annual payroll of \$3,976,956 with 159 positions. Councillor Stewart moved, seconded by Councillor Howard, for adoption. Proposal No. 127, 1985, was adopted on the following roll call vote; viz:

23 AYES: *Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

6 NOT VOTING: *Borst, Clark, Giffin, McGrath, Page, Schneider*

Proposal No. 127, 1985, was retitled SPECIAL RESOLUTION NO. 25, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 25, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Shepard Poorman Communications Corporation (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to provide financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of an approximately 20,000 square foot addition to the existing 61,500 square foot facility and the machinery and equipment to be installed therein plus certain site improvements to be located at 7301 North Woodland Drive, Indianapolis, Indiana on approximately 9 acres of land which will be used by Shepard Poorman Communications Corporation to expand office and plant areas to accommodate additional prepress and bindery operations in the Company's commercial printing and related graphic arts services business (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 12 at the end of one year and 50 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Five Million Five Hundred Thousand Dollars (\$5,500,000) under the Act to be privately placed for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Shepard Poorman Communications Corporation (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during the calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires October 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 128, 1985. This is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Haden Schweitzer Corporation in an approximate amount of \$1,250,000. Mr. Crawford stated that the Company started a satellite manufacturing operation in Indianapolis in July of 1980 as a temporary measure to alleviate periodic overflow at the Company's main manufacturing plant in Madison Heights, Michigan. The Company currently leases 45,000 square feet of industrial fabricating space located at 901 East Meecher Road. The lease will expire in July of 1985. The project is to purchase an existing 72,000 square foot facility located at 8301 East 33rd Street (currently owned by U.S. Steel). The structure will be remodeled along with capital improvements necessary for the manufacturing of process equipment for industrial (paint) finishing systems and various pollution control equipment. Estimated costs for the \$1,250,000 project are as follows: \$550,000 land and building, \$649,900 capital improvements and \$50,100 miscellaneous expenditures. The estimated number of additional employment positions at the end of one year total twenty-five jobs with \$576,000 in additional payroll to the community. The three-year job estimate is fifty positions with \$1,152,000 in additional payroll. The company reports a current annual payroll of \$785,000 with thirty-four positions. Councillor Stewart moved, seconded by Councillor Gilmer, for adoption. Proposal No. 128, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Clark, Giffin, Page, Schneider*

Proposal No. 128, 1985, was retitled SPECIAL RESOLUTION NO. 26, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 26, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Haden Schweitzer Corporation (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, renovate, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to provide financing to the Company for the same, said economic development facilities to be the acquisition, renovation, installation and equipping of an existing building containing approximately 72,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located at 8301 East 33rd Street, Indianapolis, Indiana on approximately 6 acres of land which will be used by Haden Schweitzer Corporation for administrative offices and the manufacturing of process equipment for industrial (paint) finishing systems, including spraybooths, ovens, electrocoat machines, washers, phosphate machines, pickling machines, degreasers and various pollution control equipment such as thermal and catalytic incinerators, scrubbers, and other pollution collection equipment (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 25 at the end of one year and 50 at the end of three years) to be achieved by the acquisition, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) under the Act to be privately placed for the acquisition, renovation, installation and equipping of

the Project and the sale or leasing of the Project to Haden Schweitzer Corporation (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, renovation, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires October 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 129, 1985. This is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Madan Company in an approximate amount of \$937,000. Mr. and Mrs. Madan own 100% of the stock of Continental Products, Inc. Mr. Crawford stated that Continental Products, Inc. currently leases 8,000 square feet at 2762 Rand Road in Park Fletcher, where it manufactures air conditioning, refrigeration, heat transfer and energy efficient equipment. The project is to construct a 30,000 square foot facility on 9.43 acres at the corner of Chief Lane and Stockberger

Road in Park Fletcher. The Madan Company will lease the facility to Continental Products, Inc. The Madan Company is not union and almost all of the employees live inside of Marion County. The Company has also hired students graduating from ITT and other technical colleges. Non-union labor has offered some savings because the Company's "free" labor rate ranges from \$5 to \$10 per hour compared to \$35-\$45 per hour elsewhere around the country for union rates. Another strength of the Company is that it is "full service" including engineering, marketing, assembling, packaging, etc. Estimated costs for the \$937,000 project are as follows: \$237,000 land, \$550,000 building and \$150,000 equipment. Construction is expected to begin immediately with occupancy by December 31, 1985. The estimated number of additional employment positions at the end of one year total twenty jobs with \$260,000 in additional payroll to the community. The three-year job estimate is forty-five positions with \$650,000 in additional payroll. The company reports a current annual payroll of \$300,000 with twenty-seven positions. Councillor Gilmer moved, seconded by Councillor Boyd, for adoption. Proposal No. 129, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Clark, Giffin, Page, Schneider*

Proposal No. 129, 1985, was retitled SPECIAL RESOLUTION NO. 27, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 27, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Madan Company (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic

development financing to provide financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a building containing approximately 30,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located at the corner of Chief Lane and Stockberger Road in Park Fletcher, Indianapolis, Indiana on approximately 9.43 acres of land which will be used by Continental Products, Inc. for manufacturing air conditioning, refrigeration and heat transfer products and for related office space (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 20 at the end of one year and 45 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Nine Hundred Thirty-seven Thousand Dollars (\$937,000) under the Act to be privately placed to provide financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Madan Company (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at

the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires October 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 130, 1985. This is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Joseph F. Sexton, a corporation controlled by Joseph F. Sexton, or a limited partnership of which Joseph F. Sexton or a corporation controlled by him is the general partner in an approximate amount of \$20,000,000. Mr. Crawford described the project as the construction of thirty-three individual apartment buildings containing a total of 554 units of multi-family residential rental housing (413,730 square feet net rentable). The project is to be located on 48.573 acres at 7800 West 38th Street. Monthly rental rates are expected to be approximately \$290 for a one-bedroom apartment and \$480 for a two-bedroom apartment. Estimated costs for the \$20,269,238 project are as follows: \$878,598 land, \$9,313,030 building, \$3,260,675 general conditions, \$3,407,510 financing costs, \$264,838 start-up costs, \$2,466,642 other development costs, and \$667,945 contingencies. The estimated number of additional employment positions at the end of one year total eight jobs with \$120,000 in additional payroll to the community. The three-year job estimate is also eight positions with \$150,000 in

additional payroll. There will also be several hundred construction jobs created. Councillor Curry moved, seconded by Councillor Howard, for adoption. Proposal No. 130, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Clark, Giffin, Page, Schneider*

Proposal No. 130, 1985, was retitled SPECIAL RESOLUTION NO. 28, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 28, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Joseph F. Sexton, or a limited partnership of which Joseph F. Sexton or a corporation controlled by him is the general partner or a corporation controlled by Joseph F. Sexton (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to provide interim (construction) financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of approximately 554 units of multifamily residential rental housing contained in 33 individual buildings having a total gross building area of approximately 453,610 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 7800 West 38th Street on approximately 48.573 acres of land, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 8 at the end of one year and at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the interim (construction) financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Twenty Million Dollars (\$20,000,000) under the Act to be privately placed to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Joseph F. Sexton, or a limited partnership of which Joseph F. Sexton or a corporation controlled by him is the general partner or a corporation controlled by Joseph F. Sexton (the "Company") or the loaning of the proceeds of such interim (construction) financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid interim (construction) financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds or refinancing of such bonds subject to the caveat that this inducement resolution expires October 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 131, 1985. This is an inducement resolution amending Special Resolution No. 15, 1985, for Joseph F. Sexton, a corporation controlled by Joseph F. Sexton, or a limited partnership of which Joseph F. Sexton or a corporation controlled by him is the general partner to increase the amount from \$18,000,000 to \$23,000,000. Mr. Crawford explained that the amendment is necessary to fully induce the total estimated cost of the Project. Councillor Stewart moved, seconded by Councillor Rader for adoption. Proposal No. 131, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Clark, Giffin, Page, Schneider*

Proposal No. 131, 1985, was retitled SPECIAL RESOLUTION NO. 29, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 29, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Joseph F. Sexton, or a limited partnership of which Joseph F. Sexton or a corporation controlled by him is the general partner or a corporation controlled by Joseph F. Sexton (the "Company") has previously advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to provide interim (construction) financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of approximately 702 units of multifamily residential rental housing and the machinery and equipment to be installed therein plus certain site improvements to be located at 8300 Township Line Road on approximately 57.248 acres of land, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 8 at the end of one year and at the end of three years) to be achieved by the acquisition, construction, installation and

equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the City-County Council on February 25, 1985 adopted Special Resolution No. 15, 1985 which stated in part that "The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of \$18,000,000 under the Act to be privately placed to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Company or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act"; and

WHEREAS, the Company has advised the City that it wishes to have the dollar amount of Special Resolution No. 15, 1985 increased to \$23,000,000; and

WHEREAS, it would appear that the increase in the dollar amount financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Twenty-three Million Dollars (\$23,000,000) under the Act to be privately placed to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Joseph F. Sexton, or a limited partnership of which Joseph F. Sexton or a corporation controlled by him is the general partner or a corporation controlled by Joseph F. Sexton (the "Company") or the loaning of the proceeds of such interim (construction) financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to continue with the acquisition, construction, installation and equipping of the Project approved by this City-County Council on February 25, 1985, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid interim (construction)

financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds or refinancing of such bonds subject to the caveat that this inducement resolution expires October 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of City-County Special Resolution No. 15, 1985 passed on February 25, 1985, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 147-153, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "GENERAL ORDINANCE and REZONING ORDINANCES certified by the Metropolitan Development Commission on March 21, 1985". No action was taken by the Council; and the proposals were deemed adopted. Proposal No. 147, 1985, was retitled GENERAL ORDINANCE NO. 23, 1985, and Proposal Nos. 148-153, 1985, were retitled REZONING ORDINANCE NOS. 32-37, 1985, and read as follows:

GENERAL ORDINANCE NO. 23, 1985 85-AO-1
Amending the CBD-Special Development District Zoning Ordinance (ORDINANCE 68-AO-7) to give the Commission discretion to approve a preliminary plan rather than a final plan, to authorize the Administrator to approve final plans consistent with the preliminary plan and to remove setback requirements.

REZONING ORDINANCE NO. 32, 1985 85-Z-1 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 9
715 EAST 38TH STREET, INDIANAPOLIS

Jerry W. Moore requests the rezoning of 0.92 acres, being in the D-8 district, to the C-3 classification, to provide for the continued use of this site for retail commercial purposes.

REZONING ORDINANCE NO. 33, 1985 85-Z-16 AMENDED PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
1702 EAST COUNTY LINE ROAD, INDIANAPOLIS

Toys-R-Us, Inc., by Scott A. Lindquest, requests the rezoning of 17.3 acres, being in the C-3 district, to the C-4 classification, to provide for the construction of a 45,800 square foot toy store in an existing integrated center.

**REZONING ORDINANCE NO. 34, 1985 85-Z-17 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13**

5457 ELMWOOD AVENUE, BEECH GROVE, INDIANA

Edward and Violet Angrick and Whiteco Metrocom, by Dixon B. Dann, request the rezoning of 4.09 acres, being in the D-3 district, to the I-2-S classification, to provide for development for permitted uses.

**REZONING ORDINANCE NO. 35, 1985 85-Z-20 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1**

6877 TOWNSHIP LINE ROAD, INDIANAPOLIS

Crooked Creek Community Council, Inc., by Harold J. Bell, requests the rezoning of 0.50 acre, being in the D-6 II district, to the SU-38 classification, to provide for the reuse of a residential structure for a community center.

REZONING ORDINANCE NO. 36, 1985 85-Z-22 (85-DP-2) WASHINGTON TOWNSHIP

COUNCILMANIC DISTRICT NO. 6

1050 RIVIERA DRIVE EAST, INDIANAPOLIS

Stenz and Associates requests the rezoning of 0.86 acre, being in the D-P district, to the D-P classification, to provide for the construction of a five-story apartment building containing a total of 52 dwelling units.

**REZONING ORDINANCE NO. 37, 1985 85-Z-48 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NOS. 16 & 21**

801 WEST WASHINGTON STREET, INDIANAPOLIS

Metropolitan Development Commission, by Jon A. Meeks, requests the rezoning of 253 acres, being in the D-5, D-8, SU-38, CBD-2, CBD-S, C-5, C-7, I-3-U and I-4-U districts, to the CBD-S classification, to provide for the development of White River Park.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 55, 1985. This proposal appropriates \$50,000 for the Central Equipment Management Division to purchase land for the new garage facility. Councillor Coughenour stated that the Parks Department had purchased property surrounding the Parks Department Headquarters for the purpose of building the new central garage. Proposal No. 55, 1985, appropriates funds which will reimburse the Parks Department for this purchase. The Administration Committee on March 18, 1985, recommended Proposal No. 55, 1985, Do Pass by a vote of 4-0. The President called for public testimony at 7:59 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Curry for adoption. Proposal No. 55, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

4 NOT VOTING: Clark, Giffin, Page, Schneider

Proposal No. 55, 1985, was retitled FISCAL ORDINANCE NO. 20, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Fifty Thousand Dollars (\$50,000) in the Consolidated County Fund for purposes of the Department of Administration, Central Equipment Management Division and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the purchase of land for the new garage facility.

SECTION 2. The sum of Fifty Thousand Dollars (\$50,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF ADMINISTRATION

CENTRAL EQUIPMENT MANAGEMENT DIV. CONSOLIDATED COUNTY FUND

4. Capital Outlay

\$50,000

TOTAL INCREASE

\$50,000

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF ADMINISTRATION

CENTRAL EQUIPMENT MANAGEMENT DIV. CONSOLIDATED COUNTY FUND

Unappropriated and Unencumbered

Consolidated County Fund

\$50,000

TOTAL REDUCTION

\$50,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 109, 1985. This proposal appropriates \$28,060 for various county agencies to increase the salaries of county employees earning less than \$10,000. Councillor Cottingham reported that this does not appropriate funds

to ensure that every county employee makes at least \$10,000. Proposal No. 109, appropriates funds to the various department heads and it is left to their discretion which employees receive merit increases. The County and Townships Committee on March 20, 1985, recommended Proposal No. 109, 1985, Do Pass by a vote of 5-0. The President called for public testimony at 8:05 p.m. There being no one present to testify, Councillor Cottingham moved, seconded by Councillor Crowe for adoption. Proposal No. 109, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS
5 NOT VOTING: *Clark, Giffin, Howard, Page, Schneider*

Proposal No. 109, 1985, was retitled FISCAL ORDINANCE NO. 21, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 21, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twenty-eight Thousand Sixty Dollars (\$28,060) in the County General Fund for purposes of Various County Agencies and reducing certain other appropriations for the Marion County Auditor.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(3),(6) and (9), (b)(4) and (5), and (c)(3) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds to increase salaries of county employees earning less than \$10,000.

SECTION 2. The sum of Twenty-eight Thousand Sixty Dollars (\$28,060) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:	
<u>CLERK OF THE CIRCUIT COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$ 5,773
<u>MARION COUNTY HEALTHCARE CENTER</u>	
1. Personal Services	18,415
<u>COUNTY RECORDER</u>	
1. Personal Services	438
<u>COUNTY TREASURER</u>	
1. Personal Services	767

SUPERIOR COURT - JUVENILE DIV.

1. Personal Services	1,717
<u>JUVENILE DETENTION CENTER</u>	
1. Personal Services	<u>950</u>
TOTAL INCREASE	<u>\$28,060</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

COUNTY AUDITOR	COUNTY GENERAL FUND
1. Personal Services (Fringes)	\$28,060
TOTAL REDUCTION	<u>\$28,060</u>

SECTION 5. The personnel schedules are hereby amended by deleting the cross-hatched portions and adding the new amounts as underlined herein:

(3) CLERK OF THE CIRCUIT COURT - Dept. 07

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	35,355	35,355
Chief Deputy	1	26,045	26,045
Chief Clerk	1	24,513	24,513
Sr. Admin. Asst.	2	23,530	43,286
Admin. Asst.	1	18,375	20,378
Supervisor	10	18,375	120,000
Asst. Supervisor	6	16,120	64,000
Clerk Specialist I	8	14,700	77,885
Clerk Specialist II	45	13,650	472,464 <u>476,619</u>
Clerk Specialist III	50	11,466	435,971 <u>459,621</u>
Temporary			30,000
Vacancy Factor			(131,000) <u>(33,127)</u>
TOTAL	125		1,434,802 <u>1,344,575</u>

(3) MARION COUNTY HEALTHCARE CENTER - Dept. 21

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Administrator	1	39,399	39,399
Director of Nursing	1	32,014	32,014
Exec. Housekeeper/Laundry Manager	1	28,076	28,076
Registered Pharmacist	0	0	1,236
Business Manager	1	26,000	26,000
Coord. of Staff Develop.	1	24,641	24,641
Registered Dietician	1	24,641	24,641
Human Service Workers	2	24,440	45,385
Physical Plant Technicians	13	24,278	209,512
Chaplain	1	23,049	23,049
Registered Occup. Therapist	0	0	1,055
Directors of Food Service	2	19,906	38,820
Clinical Nurses	44	19,906	703,948 <u>704,018</u>

Office Technicians	22	17,617	267,911	<u>268,411</u>
Ancillary Technicians	4	15,318	47,125	<u>48,025</u>
Ancillary Assistants	6	14,937		<u>83,245</u>
Grooming Assistants	2	14,560		<u>17,399</u>
Supervisors	6	13,632	74,176	<u>74,276</u>
Activity Workers	7	12,747	70,912	<u>71,462</u>
Housekeeping/Laundry Asst.	34	10,968	317,798	<u>323,398</u>
Intern	1	10,640		<u>10,640</u>
Cooks	5	10,190	50,195	<u>50,596</u>
Nursing Assistants	78	9,109 9,459	726,112	<u>739,552</u>
Dietary Assistants	25	9,109 9,459	225,291	<u>229,791</u>
Dentist	1	5,134		<u>5,134</u>
Podiatrist	1	4,482		<u>4,482</u>
Board Per Diem				<u>2,100</u>
Vacancy Factor			(402,094)	<u>(408,879)</u>
TOTAL	260		2,699,069	<u>2,717,478</u>

(6) COUNTY RECORDER - Dept. 26

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Recorder	1	32,053	32,053
Chief Deputy Recorder	1	25,051	25,051
Fiscal Deputy	1	18,018	18,018
Admin. Secretary	1	13,153	13,153
Deputy Recorders I	3	13,983	38,375
Deputy Recorders II	19	12,200	212,910
Vacancy Factor			<u>(162)</u>
TOTAL	26		338,960 <u>339,398</u>

(9) COUNTY TREASURER - Dept. 30

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
County Treasurer	1	37,528	37,528
Chief Deputy	1	32,768	32,768
Asst. Chief Deputy	1	28,771	28,771
Section Chief	1	21,086	21,086
Specialist II	4	17,841	71,364
Supervisor II	7	13,887	97,209
Cashier	4	11,000	43,000
Accountant II	1	18,697	18,697
Secretary I	1	15,184	15,184
Bookkeeper II	12	11,663	134,907
Bookkeeper III	5	10,589	49,419 <u>49,990</u>
Temporary			<u>18,000</u>
Vacancy Factor			<u>0 (283)</u>
TOTAL	38		1,971,494 <u>568,221</u>

(4) SUPERIOR COURT - JUVENILE DIVISION - Dept. 65

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judge	1	17,153	17,153
Administrators	3	36,698	87,231
Managers	14	25,643	295,580
Secretaries	4	13,734	148,780 49,880
Computer Operators	4	15,000	52,087
Clerk-Typists	15	12,668	1109,923 111,323
Referees	5	36,193	120,060
Court Reporters	6	21,708	125,181
Bailiffs	7	16,024	92,124 92,345
Probation	61	23,504	909,337
Professional Staff	5	29,226	104,932
Maintenance Staff	8	13,009	59,179 70,498
Jury Per Diem			8,160
Temporary Help			12,852
Vacancy Factor			(1198,863) (193,996)
TOTAL	133	11,860,190	<u>1,862,623</u>

(5) JUVENILE DETENTION CENTER - Dept. 53

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Administrator	1	27,100	27,100
Assistant Managers	5	23,896	100,783
Asst. Supervisor	6	15,701	87,622
Child Care Supervisors	67	15,620	821,308 821,408
Clerk Typist	7	13,146	76,625
Cook	9	12,858	96,971 97,521
Dir. of Nursing	1	21,008	21,008
Janitor/Maid	3	12,277	32,557 32,757
Laundry	2	11,371	20,466 20,916
Maintenance Men	5	11,099	53,739
Maint. Supervisor	1	18,377	18,377
Nurse	5	14,902	70,121
Overtime			28,000
Professional	2	22,932	44,506
Recreation Director	1	17,545	17,545
Recreation Staff	4	16,519	59,449
Seamstress	1	11,154	11,154
Social Serv. Director	1	18,673	18,673
Social Worker	7	16,247	101,033
Specialist	1	15,179	15,179
Temporary			10,822
Vacancy Factor			(60,682) (61,012)
TOTAL	129	11,872,376	<u>1,673,326</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 112, 1985. This proposal appropriates \$460,756 for the Prosecutor's Child Support Agency for the Summer Project and the Automatic Data Processing System Upgrade Project. Councillor Dowden explained that the Summer Program is \$42,456 to hire 12 college students, who will help the Clerk's Office update the current divorces. The Automatic Data Processing System is the upgrade of the Child Support mini-computer. The appropriation includes \$292,810 Federal Financial Participation or 70% and \$125,490 of County Match dollars. The Public Safety and Criminal Justice Committee on March 13, 1985, technically amended Proposal No. 112, 1985 and recommended it Do Pass As Amended by a vote of 8-0. The President called for public testimony at 8:09 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst for adoption. Proposal No. 112, 1985, as amended, was adopted on the following roll call vote; viz:

24 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

5 NOT VOTING: Clark, Giffin, Howard, Page, Schneider

Proposal No. 112, 1985, as amended, was retitled FISCAL ORDINANCE NO. 22, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 22, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Four Hundred Sixty Thousand Seven Hundred Fifty-six Dollars (\$460,756) in the County General Fund for purposes of the Prosecutor's Child Support Agency and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(23) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating \$42,456 for the Summer Project and \$418,300 for the Automatic Data Processing System Upgrade Project which is 70% (\$292,810) Title IV D reimbursed.

SECTION 2. The sum of Four Hundred Sixty Thousand Seven Hundred Fifty-six Dollars (\$460,756) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

PROSECUTOR'S CHILD SUPPORT AGENCY	COUNTY GENERAL FUND
1. Personal Services	\$53,683
2. Supplies	1,750
3. Other Services & Charges	2,023
4. Capital Outlay	<u>403,300</u>
TOTAL INCREASE	\$460,756

SECTION 4. The said additional appropriations are funded by the following reductions:

PROSECUTOR'S CHILD SUPPORT AGENCY	COUNTY GENERAL FUND
Unappropriated and Unencumbered County General Fund	<u>\$460,756</u>
TOTAL REDUCTION	\$460,756

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(23) PROSECUTOR'S CHILD SUPPORT IV-D AGENCY - Dept. 04

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Supervisor Professional	2	40,110	46,800
Administrative Supervisor	5	23,377	86,000
Deputy Prosecutors	9	36,135	167,136
Paralegals	26	19,513	350,000
Secretaries	24	16,926	265,264
Temporary			6,578 <u>60,261</u>
Vacancy Factor			<u>(60,000)</u>
TOTAL	66	861,778 <u>915,461</u>	

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 113, 1985. This proposal appropriates \$25,000 for the Prosecutor's Child Support Agency for consulting services for the Electronic Funds Transfer Pilot Project. Councillor Dowden stated that Indianapolis has been chosen as a national test site for this project which demonstrates how a private enterprise could contract with the office of a Clerk and Prosecutor for more efficient collection and distribution of child support dollars. These funds are 100% State reimbursed. The Public Safety and Criminal Justice Committee on March 13, 1985, recommended Proposal No. 113, 1985, Do Pass by a vote of 8-0. The President called for public testimony at 8:10 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Hawkins for adoption. Proposal No. 113, 1985, was adopted on the following roll call vote; viz:

24 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

5 NOT VOTING: Clark, Dowden, Giffin, Page, Schneider

Proposal No. 113, 1985, was retitled FISCAL ORDINANCE NO. 23, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 23, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twenty-five Thousand Dollars (\$25,000) in the County General Fund for purposes of the Prosecutor's Child Support Agency and reducing the unappropriated and unencumbered balance in the County General Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(23) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for consultation services for the Electronic Funds Transfer Pilot Project which is 70% reimbursed by the federal program.

SECTION 2. The sum of Twenty-five Thousand Dollars (\$25,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:	
PROSECUTOR'S CHILD SUPPORT AGENCY	COUNTY GENERAL FUND
3. Other Services & Charges	\$25,000
TOTAL INCREASE	<u>\$25,000</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

PROSECUTOR'S CHILD SUPPORT AGENCY	COUNTY GENERAL FUND
Unappropriated and Unencumbered	
County General Fund	\$25,000
TOTAL REDUCTION	<u>\$25,000</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 114, 1985. This proposal appropriates \$18,230 for the Marion County Prosecutor and Auditor fo the Latchkey Services Coordination Project. Councillor Dowden explained that this grant is for seven months and at the end

of that time, the established task force will continue independently or disband. This will be a coordination point for evaluating services for children who do not have organized activities after school. The Department believes that the omission of a concentrated effort to study this subject is leading to increased patterns of juvenile delinquency. The Public Safety and Criminal Justice Committee on March 13, 1985, recommended Proposal No. 114, 1985, Do Pass by a vote of 8-0. The President called for public testimony at 8:12 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Shaw for adoption. Proposal No. 114, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Clark, Giffin, Page, Schneider*

Proposal No. 114, 1985, was retitled FISCAL ORDINANCE NO. 24, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 24, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Eighteen Thousand Two Hundred Thirty Dollars (\$18,230) in the State and Federal Grant Fund for purposes of the Marion County Prosecutor and Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(2) and (b)(22) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for the Latchkey Services Coordination Project. The Grant is funded by the Federal Juvenile Justice Program.

SECTION 2. The sum of Eighteen Thousand Two Hundred Thirty Dollars (\$18,230) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY PROSECUTOR	STATE AND FEDERAL GRANT FUND
31. Personal Services	\$11,388
34. Equipment	1,600
35. Operating Expenses	2,000
	<hr/> \$14,988

MARION COUNTY AUDITOR**31. Personal Services (Fringes)****TOTAL INCREASE**3,242**\$18,230**

SECTION 4. The said additional appropriations are funded by the following reductions:

MARION COUNTY PROSECUTOR STATE AND FEDERAL GRANT FUND

Unappropriated and Unencumbered

State and Federal Grant Fund

\$18,230**TOTAL REDUCTION****\$18,230**

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Deputy Prosecutors	4	32,000	62,000
Witness Coordinator	1	18,000	18,000
Paralegal	1	17,000	17,000
Investigator	1	21,000	21,000
Project Analyst	1	11,000	11,000
Director	4	25,500	58,000
Volunteer Coordinator	1	15,000	15,000
<u>Project Coordinator</u>	<u>0/ 1</u>	<u>0 9,240</u>	<u>0 5,331</u>
Secretary	<u>3/ 4</u>	14,500	<u>25,000 31,057</u>
Counselor	2	15,000	29,000
Screening Deputy	1	12,000	10,000
Intern	1	13,000	6,500
Data Entry Clerk	1	13,000	6,500
Vacancy Factor			<u>(56,525)</u>
TOTAL	<u>21 23</u>	<u>222,147 1/2</u>	<u>233,863</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 115, 1985. This proposal appropriates \$22,000 for the Prosecutor for a federal training grant and the White Collar Crime and Public Corruption Investigations. Councillor Dowden explained that the first grant appropriates \$2,000 for two deputy prosecutors to attend a seminar sponsored by the National College of District Attorneys and the remaining \$20,000 will continue investigations relating to two matters of white collar crime. The Public Safety and Criminal Justice Committee on March 13, 1985, recommended Proposal No. 115, 1985, Do Pass by a vote of 8-0. The President called for public testimony at 8:19 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Holmes for adoption. Proposal No. 115, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

4 NOT VOTING: Clark, Giffin, Page, Schneider

Proposal No. 115, 1985, was retitled FISCAL ORDINANCE NO. 25, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 25, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twenty-two Thousand Dollars (\$22,000) in the County General Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the County General Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(22) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating \$2,000 for a Federal Training Grant and \$20,000 for White Collar Crime and Public Corruption Investigations which will both be reimbursed.

SECTION 2. The sum of Twenty-two Thousand Dollars (\$22,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY PROSECUTOR	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$22,000</u>
TOTAL INCREASE	\$22,000

SECTION 4. The said additional appropriations are funded by the following reductions:

MARION COUNTY PROSECUTOR	COUNTY GENERAL FUND
Unappropriated and Unencumbered	
County General Fund	<u>\$22,000</u>
TOTAL REDUCTION	\$22,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 119, 1985. This proposal appropriates \$300,000 for the Marion County Auditor for the renovation of the Juvenile Detention Center. Councillor

Dowden stated that the engineers working on the renovation of the Juvenile Detention Center have indicated that the roof needs immediate attention in order to create a safe atmosphere for the children. The new roof will have a guarantee for a certain length of time. The Public Safety and Criminal Justice Committee on March 13, 1985, recommended Proposal No. 119, 1985, Do Pass by a vote of 8-0. The President called for public testimony at 8:20 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Nickell for adoption. Proposal No. 119, 1985, was adopted on the following roll call vote; viz:

24 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West
NO NAYS
5 NOT VOTING: Clark, Giffin, Gilmer, Page, Schneider

Proposal No. 119, 1985, was retitled FISCAL ORDINANCE NO. 26, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 26, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Three Hundred Thousand Dollars (\$300,000) in the County Cumulative Building Fund for purposes of the Marion County Auditor and reducing the unappropriated and unencumbered balance in the County Cumulative Building Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(2) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating the County Cumulative Building Fund for renovation of the Juvenile Center.

SECTION 2. The sum of Three Hundred Thousand Dollars (\$300,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:
MARION COUNTY AUDITOR COUNTY CUMULATIVE BUILDING FUND

4. Capital Outlay	<u>\$300,000</u>
TOTAL INCREASE	<u>\$300,000</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

MARION COUNTY AUDITOR	COUNTY CUMULATIVE BUILDING FUND
Unappropriated and Unencumbered	
County Cumulative Building Fund	<u>\$300,000</u>
TOTAL REDUCTION	<u>\$300,000</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 21, 1985. This proposal amends the Code concerning activities in the right-of-way. Councillor Gilmer stated that this proposal had been thoroughly discussed and investigated and all sides had been willing to make and did made compromises for the betterment of the City. Councillor Gilmer outlined the following changes made by Proposal No. 21, 1985: 1) Establishes more stringent material specifications and standards for all material used in repairing cuts; 2) Establishes material specifications and standards for cold mix; 3) Establishes a training program for everyone involved in street cuts; 4) Gives the Department of Transportation six months to establish testing standards and specifications for use in measuring compaction and deflection; 5) Rescinds all waivers; 6) Establishes a procedure for "Council Review" of the Department of Transportation Board activities regarding street cuts; 7) Establishes more strict application, bonding, indemnification, notification, and approval procedures and levies more meaningful fees and fines; 8) Requires all temporary cuts to be returned to "as like condition" in a more timely manner; 9) Deletes redundant and repetitious language found in the original ordinance; and 10) makes everyone involved in street cuts accountable for the quality of their cuts. The Transportation Committee on March 20, 1985, recommended Proposal No. 21, 1985, Do Pass As Amended by a vote of 5-0. Councillor Curry moved to technically amend Proposal No. 21, 1985, by adding the term "minimum" in two places, on page 8, subsection (7)(A)(i) before the word "depth" so it would read "... a minimum" depth of two (2") inches..." and again on page 9, subsection (7)(B)(i) to read "... a minimum depth of two (2") inches...". The amendment passed by a unanimous voice vote. Councillor Gilmer moved, seconded by Councillor McGrath for adoption. Proposal No. 21, 1985, as amended, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Clark, Giffin, Page, Schneider*

Proposal No. 21, 1985, as amended, was retitled GENERAL ORDINANCE NO. 24, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 24, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", concerning activities in the right-of-way.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Article VII of Chapter 28 (Sections 28-321 through 28-323) of the "Code of Indianapolis and Marion County, Indiana", is hereby repealed, and a new Article VII adopted to read as follows:

ARTICLE VII. ACTIVITIES IN THE RIGHT-OF-WAY

Sec. 28-321. Applicability.

(a) This Article establishes minimum standards governing all activities and work performed by any person, partnership, corporation or other entity, including departments, divisions, agencies or boards of the City, in, on, under or over public rights-of-way containing roads dedicated to and accepted by the City.

(b) The minimum standards established by this Article shall not govern new street and bridge design and construction. The standards for new street and bridge design and construction are set forth in Article II of this Chapter.

Sec. 28-322. Duties and responsibilities of the department of transportation.

(a) The Department of Transportation ("DOT") shall be responsible for regulating and controlling all activities and work performed by any person, partnership, corporation or other entity, including departments, divisions, agencies or boards of the City, in, on, under and over public rights-of-way containing roads dedicated to and accepted by the City and for enforcing compliance with the minimum standards established by this Article and the provisions of regulations adopted by the Transportation Board pursuant to this Article.

(b) The DOT shall be responsible for recommending to the Transportation Board proposed regulations to be adopted by the Transportation Board as required by Sec. 28-323.

Sec. 28-323. Duties and responsibilities of the transportation board.

(a) The Transportation Board ("Board") shall, in accordance with the procedures specified in subsection (b) of this Sec. 28-323, adopt regulations deemed necessary and appropriate in order for the Board and the DOT to carry out their duties

and responsibilities under this Article, including, but not limited to, regulations establishing:

- (1) standards for traffic controls for construction and maintenance operations or activities in, on, under and over the public rights-of-way containing streets dedicated to and accepted by the City, which standards shall be designed to protect members of the public using such public rights-of-way and to be consistent, to the extent practicable, with the "Indiana Manual on Uniform Traffic Control Devices", the "Indiana State Highway Standard Specifications, 1985 Edition", and all other State and Federal statutes, recognizing, however, that traffic controls for projects within public rights-of-way subject to the jurisdiction of the DOT may be less stringent than the traffic controls required in connection with work on State or Federal highways where traffic will be traveling at much greater speeds;
- (2) restrictions with respect to when and how work should be performed in public rights-of-way containing streets dedicated to and accepted by the City in certain geographical areas, such as the area around Monument Circle, Hoosier Dome and Convention Center or in areas during times when special events, such as the 500 Mile Race and State Fair, are being held;
- (3) time periods when work in, under, on or over public rights-of-way containing streets dedicated to and accepted by the City should, except in cases of emergencies, be prohibited, such as during rush hours;
- (4) minimum standards for compaction or deflection testing or both; and
- (5) a schedule of fees for the enforcement of the provisions of this Article or the regulations duly adopted by the Board.

(b) Before any regulation is adopted by the Board pursuant to this Sec. 28-323, the Board shall cause a notice to be published in at least two (2) newspapers of general circulation printed and published in Marion County, Indiana at least twenty-one (21) days prior to the date set for a hearing on the proposed regulation. Said notice shall include a statement of the time and place of said hearing, a reference to the subject matter of the proposed regulation or regulations and refer to the fact that a copy of said regulation or regulations is on file in the office of the Board where it may be examined. At the same time said notice is sent to the newspapers for publication, a copy thereof shall be mailed to each public utility serving in Marion County. At least five (5) copies of said proposed regulation or regulations shall be on file at the office of the Board from the date of the first publication of said notice continuously until the said hearing and any interested person shall be given an adequate opportunity to examine a copy of said proposed regulation or regulations. On the date set for hearing, any interested party in person or by attorney shall be afforded an adequate opportunity to participate in the formulation of the proposed regulation or regulations through the presentation of facts or argument or the submission of written data or views. All relevant matter presented shall be given full the Board. If the Board, following the hearing and consideration and all relevant matter presented, adopts the regulation or regulations, either as proposed or as proposed with modifications or amendments, the regulation or regulations adopted by the Board shall be submitted to the Corporation Counsel of the City for his approval as to legality. When the regulation or regulations have been approved by the Corporation

Counsel of the City, the regulation or regulations shall be filed with the clerk of the Council for publication. The regulation or regulations shall become effective thirty (30) days after the date filed with the clerk of the Council, unless the council prior thereto amends the regulations or suspends their effective date. If the Board desires to repeal, rescind or amend any regulation adopted by it, the same procedure shall be followed as prescribed herein for adoption of a regulation.

(c) The Transportation Board, in cooperation with the Department of Transportation, shall establish a program pursuant to which instruction shall be provided to individuals who will be making, restoring or inspecting excavations in public right-of-way. Said program will consist of instruction concerning the proper methods of making and restoring excavations as set forth in this Article. The instruction program shall be conducted by competent individuals who are not individuals who will be making, restoring or inspecting excavations in the public rights-of-way in accordance with this Article. The cost associated with such instructional program shall be recovered as admission fees from those individuals attending such program. Persons attending and satisfactorily completing such instructional program shall receive a certificate to that effect. The instruction program established pursuant to this paragraph shall be implemented so that the first instruction program is conducted within ninety (90) days following the effective date of this ordinance. The program shall be offered at such frequencies so as to ensure that all individuals who will be making, restoring and inspecting excavations in the public rights-of-way after September 1, 1985, will be able to attend and complete the instructional program by that date. All DOT inspectors shall be required to attend the instructional program.

(d) There may be circumstances where it will be appropriate for the Board to grant a temporary exception or a permanent variance from either the standards established by this Article or the provisions of the regulations adopted by the Board. The Board should only grant exceptions or variances which it determines would be consistent with public safety and interest, would not frustrate the intent and policies expressed by this Article or the Board's regulations and would not endanger the traveling public using the public rights-of-way. The procedure concerning exceptions or variances shall be as follows:

- (1) Any person or entity subject to the provisions of this Article or the regulations adopted by the Board may submit a written application to the Board requesting a temporary exception or a permanent variance from a specific minimum standard established by this Article or a provision of a regulation adopted by the Board, setting forth the reasons why the exception or variance should be granted. Copies of the application shall also be provided to the Director of the DOT and to the Permit Section of the DOT.
- (2) The Board shall consider said application at its next regularly scheduled meeting held more than seven (7) days following receipt of the application and, by written order, grant said application if it determines that such action would be consistent with the public safety and interest, would not frustrate the intent and policies expressed by this Article or the Board's regulations and would not endanger the traveling public using the public rights-of-way. The Board may prescribe alternative measures to be used in lieu of those from which it granted an exception or variance. If the Board denies the application, it shall set forth in its order the reasons for the denial. The order granting or denying the application shall be mailed to the applicant by certified mail, return receipt requested.
- (3) If the exception or variance is approved by the Board, the Board shall certify its order to the Clerk of the Council. The exception or variance shall become effective thirty (30) days thereafter, unless the Transportation Committee of the Council shall reject or modify the order of the Board.

- (4) Exceptions or variances granted by the Board may be revoked by the vote of a majority of the Board upon finding after notice and hearing, that the person or entity granted the exception or variance is violating the terms of the Board's order granting the exception or variance or that the action of such person or entity pursuant to the exception or variance unreasonably jeopardizes the public safety or interest. The revocation of an exception or variance shall not affect the validity of any other exception or variance in effect for that person or entity.

Sec. 28-324. Right-of-way excavation permit required.

(a) Except as otherwise provided in subsection (b) of this Sec. 28-324, no person, partnership, corporation, or other entity, including departments, divisions, agencies or boards of the City, shall cut, drill, dig or excavate in or under a public right-of-way containing a street dedicated to and accepted by the City without first having obtained a right-of-way excavation permit from the DOT. Application for said permit shall be in accordance with Sec. 28-325.

(b) In the event a person, partnership, corporation, or other entity, including departments, divisions, agencies or boards of the City, find it necessary to cut, drill, dig or excavate in or under a public right-of-way containing a street dedicated to and accepted by the City for the purpose of restoring a utility service to a person or entity or for the purpose of making immediate repairs and at such time the Permit Section of the DOT is not staffed because, for example, it is after normal business hours or the Mayor of the City has declared a weather emergency or it is a City holiday, the person, partnership, corporation or other entity may drill, cut, dig or excavate in or under the public right-of-way without first filing an application for and obtaining a right-of-way excavation permit. The application for the right-of-way excavation permit shall, however, be filed on the first business day on which the Permit Section of the DOT is staffed following the commencement of work.

Sec. 28-325. Application for right-of-way excavation permit.

(a) Application. The application for a right-of-way excavation permit shall be submitted to the Permit Section of the Department of Transportation and shall include the following:

- (1) a properly executed permit application, in the form designated by the department, including but not limited to, the following information:
- (A) the name and address of the applicant;
 - (B) the name and address of the person performing the work to be done in the right-of-way, if other than the applicant;
 - (C) the nature of, and the reason for, the work to be performed;
 - (D) the location of the worksite and the dimensions of the excavation;
 - (E) the anticipated length of time to complete the work;
 - (F) the method of traffic control to be used by the applicant at the worksite;
 - (G) any other pertinent information requested by the department of transportation; and
 - (H) after September 1, 1985, certification that the work to be performed under the right-of-way excavation permit will be under the supervision of a person who has attended and satisfactorily completed the instructional program established pursuant to Sec. 28-323 (c).

- (2) a general liability insurance policy as described in subsection (c), unless the applicant is a public utility or already has a statement of insurance on file;
- (3) a performance or maintenance bond as specified in subsection (d), unless the applicant is a public utility;
- (4) an indemnification agreement as specified in subsection (e), unless the applicant is a public utility and already has an approved indemnification agreement on file; and
- (5) written approval from the department of public works as specified in subsection (f), if the proposed work involves a sanitary sewer, storm sewer, or affects drainage within the public right-of-way.

(b) Permit fee. A permit fee of forty dollars (\$40.00) for a single cut shall be paid when application is submitted and is not refundable. Additional cuts on a new multiple-cut permit shall require an additional payment of twenty dollars (\$20.00) per cut.

(c) General liability insurance policy. The applicant shall either file or have on file with the City of Indianapolis a general liability insurance policy. The statement of insurance shall be on file with either the Division of Development Services of the Department of Metropolitan Development or the DOT Permit Section. The insurance company shall be licensed to do business in the State of Indiana. The amount of insurance shall be not less than five hundred thousand dollars (\$500,000.00) for injury to one person and not less than one million dollars (\$1,000,000.00) for injuries to more than one person and not less than two hundred fifty thousand dollars (\$250,000.00) for damages to property. The insurance policy shall have a Rider attachment for all listed general contractors to be covered on right-of-way excavation permit.

(d) Performance bond. The performance bond posted with respect to each permit shall not be released until an approved inspection is received on the restoration of the public right-of-way. The applicant shall either file or have on file with either the Division of Development Services of the Department of Metropolitan Development or the DOT Permit Section a performance/maintenance bond. The company writing the bond shall be licensed to do business in the State of Indiana. The bond shall be in the penal amount of not less than ten thousand dollars (\$10,000.00) for a single street cut and one hundred thousand dollars (\$100,000.00) for unlimited multiple street cuts in any year. The bond shall be in effect for a duration of three (3) years from the date of issuance of each permit.

(e) Indemnification agreement form. The applicant for a right-of-way excavation permit shall either file or have on file with either the Division of Development Services of the Department of Metropolitan Development or the Permit Section of the DOT an indemnification agreement in which the applicant agrees to indemnify and hold harmless the City from and against all claims, actions, damages and expenses, including reasonable attorneys' fees, based on any alleged injury (including death) to any person or damage to any property arising, or alleged to have arisen out of any act of commission or omission with respect to the activity or work of the applicant (or persons, corporations or firms authorized by the applicant) in a public right-of-way subject to the City's jurisdiction pursuant to a right-of-way excavation permit issued by the DOT.

(f) Drainage approval. The applicant for a right-of-way excavation permit shall submit a letter or form of approval from the Department of Public Works with the application when the proposed work involves a sanitary sewer, storm sewer or affects drainage within a public right-of-way. The permit holder shall be responsible for maintaining adequate drainage flow during and after the work authorized by the right-of-way excavation permit.

(g) Exemptions. The requirements of subsections (b), (c), (d) and (e) shall not apply to applications on behalf of the Departments of Transportation or Public Works, if the work is to be performed by city employees.

Sec. 28-326. Issuance of right-of-way excavation permit.

(a) Issuance. Upon receipt of a completed application pursuant to Sec. 28-325, approval of the worksite, and payment of application and any other fees as specified, the DOT may issue a right-of-way excavation permit to the applicant. The DOT may issue the permit (by authorizing the work to proceed and assignment of a permit number) prior to receipt of the application and other required documentation, provided such application is submitted on the following business day.

(b) Duration. The permit shall be issued for a sixty (60) day time period, beginning at the time of its issuance. Upon applicant's justified request, the permit may be extended for sixty (60) days by the DOT.

(c) Activation. The applicant shall be responsible to activate the permit by notifying the Inspection Section, Maintenance Division, Department of Transportation at least one business day in advance of starting the work, unless the Permit Section authorizes the work to begin sooner. Upon notification and activation the permit holder must begin work within three business days. If, for any reason, the permit holder thereafter determines that he or it will not be able to perform the work or activity as scheduled, the permit holder shall immediately notify the Inspection Section.

(d) Display of permit. Once work commences in accordance with the issued right-of-way excavation permit, a copy of the permit shall be available at the worksite or the permit holder must be able to verify to a DOT inspector at the worksite that a permit has been issued and to whom.

Sec. 28-327. Standards for right-of-way excavations.

(a) In general. Any work within a public right-of-way for which a right-of-way permit is required by this Article must be performed in accordance with, and conform to, the standards of this section.

(b) Worksites. The permit holder shall be responsible for the safe and expeditious movement of vehicular and pedestrian traffic through the worksite and for the safety of the work force performing the work in the public right-of-way pursuant to the right-of-way excavation permit.

(c) Color Coding. All cuts made in the road surface shall be color coded according to the purpose of the cut with a paint which will remain visible until final inspection is made. The color scheme to be used is:

ELECTRIC
CABLE TELEVISION
TELEPHONE

SAFETY RED
PINK
SAFETY ALERT ORANGE

WATER
OIL
GAS
SANITARY
STEAM

SAFETY PRECAUTION BLUE
GREY
HIGH VISIBILITY YELLOW
SAFETY GREEN
WHITE

(d) Removal of Surface. The minimum width of all cuts shall be twelve (12) inches, unless a lesser width is specifically allowed by DOT.

(1) Concrete Streets and Alleys. Two methods of concrete surface removal are acceptable:

- (A) All cuts shall be sawed to one-third the depth of the pavement with a concrete saw. A minimum saw cut of two inches (2") is required. The cut shall then be completed with a mechanical hammer equipped with a suitable chisel, starting from the center of the cut.
- (B) All cuts shall be made with a mechanical hammer equipped with a suitable chisel. Before final repairs are made, the cuts shall be "squared." This shall be done by sawing to one-third the depth of the pavement with a concrete saw. A minimum saw cut of two inches (2") is required. The cut shall then be completed with a mechanical hammer equipped with a suitable chisel.

Whenever possible, cuts should be made at pavement joints. Where the area of the cut exceeds fifty percent (50%) of a panel or a diagonal cut is made, the entire panel shall be removed.

(2) Asphalt Streets and Alleys. Two methods of asphalt surface removal are acceptable:

- (A) All cuts shall be sawed to one-third the depth of the pavement and then completed with a mechanical hammer equipped with a suitable chisel, starting from the center of the cut. A minimum saw cut of two (2) inches is required.
- (B) All cuts shall be made with a mechanical hammer equipped with a suitable chisel, starting from the center of the cut. Before final repairs are made, the cuts shall be "squared". The edges of all cuts are to be straight.

(3) Brick Streets and Alleys. All cuts must be made with a mechanical hammer equipped with a suitable chisel.

(4) Asphalt over Concrete or Brick.

(A) Two methods of asphalt removal are acceptable:

- (i) All cuts shall be sawed to one-third the depth of the asphalt and then completed with a mechanical hammer equipped with a suitable chisel, starting from the center of the cut.
- (ii) All cuts shall be made with a mechanical hammer equipped with a suitable chisel. Before final repairs are made, the cut shall be "squared". The edges of the asphalt are to be straight.

- (B) Brick Removal. All cuts in the brick or concrete part of the pavement shall be made by a mechanical hammer equipped with a suitable chisel.
- (5) Shot Seal Streets and Alleys. All cuts shall be made by a mechanical hammer equipped with a suitable chisel. The edges are to be straight and parallel.
- (6) Stone and/or Gravel Streets and Alleys. All cuts may be made by mechanical or manual means.
- (7) Sidewalks and Driveways.

(A) Two methods of concrete surface removal are acceptable:

- (i) All concrete surface cuts are to be sawed to a minimum depth of two (2") inches with a concrete saw and then completed with a mechanical hammer equipped with a suitable chisel, starting from the center of the cut.
- (ii) All cuts shall be made with a mechanical hammer equipped with a suitable chisel. Before final repairs are made, the cuts shall be "squared". This shall be done by sawing to one-third the depth of the pavement with a concrete saw. A minimum saw cut of two (2") inches is required. The cuts shall then be completed with a mechanical hammer equipped with a suitable chisel.

Whenever possible, cuts should be made at pavement or panel joints. All panels of sidewalks that are cut are to be removed.

(B) Two methods of asphalt surface removal are acceptable:

- (i) All asphalt surface cuts are to be sawed to a minimum depth of two (2") inches and then completed with a mechanical hammer equipped with a suitable chisel, starting from the center of the cut. The edges of all cuts are to be straight.
- (ii) All cuts shall be made with a mechanical hammer equipped with a suitable chisel. Before final repairs are made, the cuts shall be "squared". The edges of all cuts shall be straight.

(C) All brick surface cuts are to be made with a mechanical hammer equipped with a suitable chisel.

(D) All stone or gravel surface cuts are to be made by a mechanical or manual means.

Sec. 28-328. Standards for restoration of the public right-of-way.

(a) In general. All cuts, excavations, or other damage done to the right-of-way pursuant to a valid right-of-way permit shall be restored in such a way as to return the right-of-way to its condition prior to any work performed in connection with a valid right-of-way permit. Restoration of the public right-of-way upon completion of work performed under a valid right-of-way permit shall be performed by the permit holder in accordance with the standards set forth in this section and the applicable regulations adopted by the Transportation Board.

(b) Specifications of materials. All materials, unless specifically stated otherwise, shall be in accordance with current "Indiana State Highway Commission Standard Specifications" and all revisions and addendums to that document.

(1) GRANULAR BACKFILL

- | | |
|--------------|--------------------|
| (A) SUBGRADE | sand or "B" borrow |
| (B) SUBBASE | No. 53 stone |

(2) CONCRETE

- | | |
|------------------------|---|
| CEMENT CONTENT | six bags per cubic yard,
high early strength |
| COMPREHENSIVE STRENGTH | 4,000 PSI |
| SLUMP | 3 to 5 inches |
| AIR ENTRAINMENT | 5 to 8 percent |
| COARSE AGGREGATE | size 5L |
| FINE AGGREGATE | Six 14A or 14B |

Retempering concrete by adding water or by other means will not be permitted for continuous operation. When concrete is delivered in transit mixers or agitators, water may be added and additional mixing performed in particular cases to increase the slump. The addition of water and mixing shall be under the direction of a DOT inspector or engineer.

(3) ASPHALT

- | | |
|--------------------------------------|---|
| (A) HOT ASPHALTIC EMULSION - SURFACE | Type IV Mixture |
| (B) HOT ASPHALTIC EMULSION - BASE | No. 4, No. 5, No. 5D |
| (C) HOT ASPHALTIC EMULSION - BINDER | No. 8, No. 9 |
| (D) HOT ASPHALTIC CONCRETE - SURFACE | Type "B" Mixture |
| (E) HOT ASPHALTIC CONCRETE - BASE | No. 4, No. 5 |
| (F) HOT ASPHALTIC CONCRETE - BINDER | No. 8, No. 9 |
| (G) PRIME COAT | Asphalt emulsion AE-PL |
| (H) TACK COAT | Asphalt emulsion AE-T |
| (I) COLD MIX BITUMINOUS | No. 5 Limestone Class A
No. 11 Limestone Class A
No. 24 Natural Sand
Modified AE-300 or
Modified AE-150 |

- (i) Coarse Patch Mix. Cold mix bituminous coarse patch mix shall consist of a blend of No. 5 stone, No. 11 stone and No. 24 natural sand in accordance with the following percentage by weight: No. 5 stone, 40%; No. 11 stone, 20%; and No. 24 sand, 40%. The Bitumen Residue (determined by ASTM D2712 Method E Vacuum Extraction) shall be 4.4 ± 0.3 (6.3% AE-300 or AE-150 modified with moisture). Only coarse patch mix previously approved by the DOT at the manufacturing plant may be used.

- (ii) Fine Patch Mix. Cold mix bituminous fine patch mix shall consist of a blend of No. 11 stone and No. 24 natural sand in accordance with the following percentage by weight: No. 11 stone, 60%, and No. 24 sand, 40%. The Bitumen Residue (determined by ASTM D2712 Method E Vacuum Extraction) shall be 4.6 ± 0.3 (6.3% AE-300 or AE-150 modified with moisture). Only fine patch mix previously approved by the DOT at the manufacturing plant may be used.

- (4) Topsoil, agricultural limestone, fertilizer, grass seed, mulch, sol, curing compound and joint material are to be according to current Indiana state Highway Commission Standard Specifications and all revisions and addendums to that document.

(c) Backfill. All excavations shall be backfilled in accordance with this subsection.

- (1) Granular Backfill. All cuts made in or under any road surface shall be backfilled with granular material. Where a cut either transverses or parallels the road surface, granular backfill shall be placed in that portion of the cut located within three (3) feet of the road surface or within a distance of equal to one-half ($\frac{1}{2}$) the depth of the cut, whichever is greater. The permit holder, at its option, shall place granular backfill either:

- (A) in 12-inch (12") maximum loose lifts and compact each layer by mechanical means to at least ninety-five percent (95%) of its maximum dry density, or
- (B) in 24-inch (24") maximum loose lifts and compact each layer by a combination of saturation and mechanical means to at least ninety-five percent (95%) of its maximum dry density, or
- (C) in such other size lifts as has been certified to the DOT by a professional engineer to achieve at least ninety-five percent (95%) of its maximum dry density for each lift using equipment available to the permit holder and approved by the DOT. Maximum dry density shall be determined in accordance with ASTM Designation D 698.

- (2) Earth Backfill. Earth backfill may be used in locations not requiring granular backfill. The earth backfill shall be made compatible with the adjacent surface. In established lawn areas, this includes compacting in not less than two lifts for each five (5) feet of depth of the cut, topping off with topsoil, fertilizing, seeding, mulching and restoring all contours. If the contours are greater than a 3:1 slope, restoration of the grass shall be made by sodding. Under sidewalks, the earth backfill shall be compacted in not less than three (3) lifts for each five (5) feet of depth of the cut. If the sidewalk fails as a result of settlement of a cut, the permit holder making such cut shall be responsible for repairing and restoring said sidewalk, including recompacting the backfill in the cut.

(d) Temporary Surface Restoration. Temporary surface repairs may be made as follows:

- (1) The surface may be temporarily repaired by use of cold mix bituminous to the top of the cut, compacted by a mechanical tamp or vibrator;
- (2) Overnight while work is continually in progress, the cut may be covered with steel plates having a minimum thickness of three-fourths inch ($\frac{3}{4}$ ") which shall be secured so as not to move and so as not to constitute a hazard when open to traffic;

Any cut temporarily repaired under this section shall be permanently repaired, by removing the cold mix bituminous to a depth of at least one and one-half ($1\frac{1}{2}$ ") inches below the adjoining road surface and permanently restoring the cut as required in subsection (e) of this section. Final restoration of all cuts shall be made within thirty (30) days of the completion of the temporary repairs, except that cuts made between

November 10 and April 1 need not be repaired until June 1. The permit holder shall notify the Inspection Section within two business days of completion of final restoration.

(e) **Permanent Surface Restoration.** Permanent repairs shall be in accordance with the standards of this subsection. The restoration of the surface of all cuts shall be completed by such methods and in such manner that the plane of the surface of the repair, at the time of completion and thereafter, will be flush with all contiguous surfaces and will create no dissymmetry with the topography of the roadway.

- (1) **Concrete Streets and Alleys.** Final repairs to concrete streets and alleys are to be made with concrete. When repairing or replacing reinforced concrete having a thickness of six (6) inches or more, either (i) the steel reinforcement shall be replaced in kind (temporarily bending the reinforcing steel out of the way and then bending it back into position when the concrete is replaced) and properly fastened to the adjacent reinforcement, or (ii) No. 5 bars, two (2) feet long, shall be drilled and grouted into the existing pavement sides one (1) foot deep at two (2) foot center-to-center spacing with a minimum of two bars per side. If the concrete being replaced or repaired is less than six (6) inches thick, the steel reinforcement may be replaced in kind and properly fastened to the adjacent reinforcement or the repaired and replaced concrete may be bonded to the existing concrete by epoxy. All new concrete must be protected against excessive dehydration by the application of a membrane type curing compound. The new concrete shall be protected from all traffic for thirty-six (36) hours. If this is done by the use of plates, the plates shall be steel with a minimum three-fourths (3/4) inch thickness. These plates shall be secured so as not to move and so as not to constitute a hazard when they are open to traffic.
- (2) **Asphalt Streets and Alleys.** The base material used in connection with all final repairs to asphalt streets and alleys shall be either hot asphalt or cold mix bituminous coarse patch mix placed in four inch (4") lifts compacted with a mechanical tamp or vibrator. A one and one-half inch (1½") hot asphalt surface shall be used on any asphalt surface street repair except when repairs are made in any thoroughfare, or any roadway other than a thoroughfare where so designated by the DOT, when such thoroughfare or roadway has been assigned a project number for resurfacing, in which case the one and one-half inch (1½") hot asphalt surface may be deleted and the base material brought up to the level of the existing pavement. All edges or joints of existing pavement shall be thoroughly cleaned and tack coated prior to the placement of the hot asphalt surface. All faces of exposed curbing shall be tacked below the finished pavement elevation. All joints shall be sealed with a hot iron.
- (3) **Brick Streets and Alleys.** Brick streets shall be restored to their original surface condition and pattern. At the discretion of the DOT, brick alleys shall be restored to their original surface condition and pattern. If such repair of an alley is not directed, the repairs shall be made with concrete. All new concrete shall be protected against all excessive dehydration by the application of a membrane type curing compound. The new concrete shall be protected from all traffic for thirty-six (36) hours. If this is done by the use of plates, the plates shall be steel with a minimum three-fourths (3/4) inch thickness. These plates shall be secured so as not to move and so as not to constitute a hazard when they are open to traffic.
- (4) **Asphalt over Concrete or Brick Streets.** As a general rule, whatever type of material that was excavated shall be replaced.

- (A) Concrete or deep strength asphalt is to be used to replace concrete or brick to the level of the existing concrete base. The new concrete shall be protected against excessive dehydration by the application of a membrane type curing compound. The new concrete shall be protected from all traffic for thirty-six (36) hours. If this is done by the use of plates, the plates shall be steel with a minimum three-fourths (3/4) inch thickness. These plates shall be secured so as not to move and so as not to constitute a hazard when they are open to traffic. Asphalt shall then be used to complete the repair. The concrete and all vertical sides shall be thoroughly cleaned and tacked. All faces of exposed curbing shall be tacked below the finish elevation. Asphalt shall be placed in three (3) inch lifts and compacted with a mechanical tamp or vibrator. The top one and one-half inches (1½") shall be hot mix asphalt. All joints shall be sealed with a hot iron.
- (B) At the discretion of DOT, repairs to asphalt over concrete or brick streets and alleys may be made completely with asphalt. All vertical sides shall be thoroughly cleaned and tacked. All faces of exposed curbing shall be tacked below the finish elevation. Asphalt shall be placed in three (3) inch lifts and compacted with a mechanical tamp or vibrator. The top one and one-half inches (1½") shall be hot mix asphalt. All joints are to be sealed with a hot iron.
- (5) Shot Seal Streets or Alleys. All repairs shall be made with asphalt. Asphalt shall be placed in three (3) inch lifts and compacted with a mechanical tamp or vibrator.
- (6) Stone or Gravel Street. All repairs shall be made with granular backfill.
- (7) Sidewalks.
 - (A) Brick sidewalks are to be restored to their original surface condition and pattern.
 - (B) Concrete sidewalks are to be repaired with concrete. However, it does not have to be high early strength. All new concrete must be protected against excessive dehydration by the application of a membrane type curing compound. The new concrete shall be protected from all traffic for thirty-six (36) hours. If this is done by the use of plates, the plates shall be steel with a minimum three-fourths (3/4) inch thickness. These plates shall be secured so as not to move and so as not to constitute a hazard when they are open to traffic.
 - (C) Asphalt sidewalks shall be repaired with asphalt. All edges or oints of existing pavement shall be thoroughly cleaned and tacked. Asphalt shall be placed in three (3) inch lifts and shall be compacted by a mechanical tamp or vibrator. All joints shall be sealed with a hot iron.
 - (D) Gravel or stone sidewalks shall be restored to within six (6) inches of the surface with No. 53 stone or granular material and then topped off with material similar to the original surface.
 - (E) If the cut is outside three (3) feet of the road surface or outside a distance equal to one-half (1/2) the depth of the cut, whichever is greater, the cut may be backfilled with earth backfill compacted in not less than three (3) lifts for each five (5) feet of depth of the cut.

(8) Driveways.

- (A) Brick driveways shall be restored to their original surface and pattern.
 - (B) Concrete driveways shall be repaired with concrete to original specifications. The new concrete shall be protected against excessive dehydration by the application of a membrane type curing compound. The new concrete shall be protected from all traffic for thirty-six (36) hours. If this is done by the use of plates, the plates shall be steel with a minimum three-fourths (3/4) inch thickness. These plates shall be secured so as not to move and so as not to constitute a hazard when they are open to traffic.
 - (C) Asphalt driveways shall be repaired with asphalt. All edges or joints of existing pavement shall be thoroughly cleaned and tacked. Asphalt shall be placed in three (3) inch lifts and is to be compacted by mechanical tamp or vibrator. The top one and one-half inches (1½") shall be hot mix asphalt. All joints shall be sealed with a hot iron.
 - (D) Gravel or stone driveways shall be restored to within six (6) inches of the surface with No. 53 stone or granular material and topped off with material similar to the original surface.
 - (E) If the cut is outside three (3) feet of the road surface or outside a distance equal to one-half (1/2) of the depth of the cut, whichever is greater, the cut may be backfilled with earth backfill compacted in not less than three (3) lifts for each five (5) feet of depth of the cut.
- (9) Gravel or Stone Berm. All repairs to gravel or stone berms shall be restored to within 12 inches of the surface with compacted granular backfill, and topped off with material similar to the original surface. If the cut is outside three (3) feet of the road surface or outside a distance equal to one-half (½) the depth of the cut, whichever is greater, the cut may be backfilled with earth backfill.
- (f) Resurfacing Because of Cuts. The DOT shall determine it necessary to resurface the pavement in any five hundred (500) feet segment if either of the following conditions are found since the segment was last resurfaced:
- (1) Cut(s) encompass more than thirty-three (33) percent of the total square footage; or
 - (2) Ten (10) or more lateral cuts on any, or a combination of any, of the lanes.

DOT having made the determination to resurface, then such permit holder or combination of permit holders shall be liable for the cost of resurfacing the pavement surface, which cost shall not exceed the cost of a one (1) inch overlay of hot asphalt over the area to be resurfaced. The DOT shall notify the responsible permit holder or combination of permit holders, as well as all utilities, that the pavement surface in that location will be resurfaced, if possible during the next construction season, but such construction will commence no later than one hundred eighty (180) days after notification by the DOT. Utilities should perform whatever work they desire to do in the right-of-way in that area prior to the resurfacing. The DOT shall be responsible for contracting, supervising and inspecting the resurfacing and upon completion of the resurfacing, shall bill the responsible permit holder or combination of permit holders for it or their share of the cost of the resurfacing. If more than one construction season has passed, the

cost shall be based on the cost of resurfacing in the first construction season following the DOT's notification that the area will be resurfaced. When a combination of permit holders is involved, the cost for the resurfacing, as limited above, shall be allocated by the DOT among the permit holders based on the ratio of square footage of pavement surface within the area disturbed by all permit holders. The issuance of a right-of-way excavation permit by the Department of Transportation and the acceptance of the permit by an applicant/permit holder shall be construed as agreement to this resurfacing requirement.

(f) **Lawn Restorations.** Within thirty (30) days after completion and restoration of a cut in a portion of an established lawn within the public right-of-way, the permit holder shall inspect the cut and if it has settled more than two (2) inches below the adjacent surface, the permit holder will fill and compact the settled area and reseed or resod. The permit holder shall inspect the cut again within thirty (30) days following the original restoration and, if the cut has again settled more than two (2) inches below the adjacent surface, shall fill and compact the settled area and reseed or resod. Such inspections and fillings will continue each thirty (30) days until an inspection discloses that the cut has not settled more than two (2) inches below the adjacent surface in any thirty (30) day period.

Sec. 28-329. Inspection and testing.

(a) Within thirty (30) days after completion of temporary and final restoration of all cuts and after any repairs requested pursuant to subsection (b), the Inspection Section, Maintenance Division, Department of Transportation, shall inspect each cut and its restoration and may test such restorations by use of deflection testing equipment.

(b) If the inspection discloses that the restoration was not done in the manner required by this Article and the regulations adopted hereunder, does not satisfy the standard of subsection (e) of Sec. 28-328, or after September 1, 1985, has a test deflection in excess of any standards adopted by the Transportation Board, the Inspection Section shall so notify the permit holder. Within five (5) working days of such notification, the permit holder shall repair and resurface the cut to comply with this Article and pay to the DOT an additional fee of one hundred dollars (\$100.00) for reinspection of the repair.

(c) The permit holder shall be responsible for all pavement cuts until such time as the pavement area in which such cut was made is resurfaced. In the event the DOT determines that a cut was not restored in accordance with the provisions of the Article or the Board's regulations or that the cut has failed for any reason, the DOT shall direct the permit holder who made such cut to take corrective action. If such action is not taken within five (5) working days after notification, or such shorter time as directed by the DOT if the DOT determines that the failed cut poses a significant danger to the traveling public, the DOT shall take whatever action it deems necessary to protect the safety of the public and the permit holder shall be assessed an amount sufficient to reimburse the DOT for any expenses it may have incurred therewith, plus fees in the amount specified in the regulations adopted by the Board establishing fees for the enforcement of the standards established by this Article and the regulations adopted by the Board pursuant to this Article.

Sec. 28-330. Waivers rescinded.

All waivers granted by the Director of the DOT pursuant to the Right-of-way Activity Manual, with amendments, made a part of the Code of Indianapolis and Marion County by General Ordinance 37, 1980 and General Ordinance 50, 1982, are hereby rescinded.

Sec. 28-331. Violations.

(a) Violations of the standards established by this Article or the provisions of the regulations adopted by the Board pursuant to this Article shall subject the permit holders to payment of fees specified in the regulations adopted by the Board establishing a schedule of fees for the enforcement of the standards established by this Article and the regulations adopted by the Board pursuant to this Article.

(b) Failure to conform to any of the provisions of this ordinance, including any standards established by the department of transportation shall constitute a violation of this ordinance. All violations shall be subject to the penalties of section 1-8 of this Code.

SECTION 2. (a) The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted. (b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in full force and effect after April 1, 1985.

PROPOSAL NO. 62, 1985. This proposal establishes the allocation priorities for cumulative capital development funds. Councillor McGrath reported that the legal questions surrounding Proposal No. 62, have now been answered and the Rules and Policy Committee amended the proposal to reflect these changes. The changes are as follows: drainage has been moved from County to City Cumulative Funds and from \$780,000 to \$720,000; sewers will be funded out of the City instead of County Cumulative Fund from the amount of \$390,000 to \$360,000; bridges, streets and roads will be funded out of the County Cumulative Fund from the amount of \$720,000 to \$780,000; and parks and recreation will also be funded out of the County Cumulative Fund from the amount of \$360,000 to \$390,000. The Rules and Policy Committee on March 19, 1985, recommended Proposal No. 62, 1985, Do Pass As Amended by a vote of 6-0. Councillor McGrath moved, seconded by Councillor Journey for adoption. Proposal No. 62, 1985, as amended, was adopted on the following roll call vote; viz:

23 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader
 2 NAYS: Curry, West
 4 NOT VOTING: Clark, Giffin, Page, Schneider

Proposal No. 62, 1985, as amended, was retitled GENERAL RESOLUTION NO. 5, 1985, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 5, 1985

A GENERAL RESOLUTION concerning the disposition of cumulative capital development funds.

WHEREAS, P.L. 44-1984, Section 16 and 17, created I.C. 36-9-14.5, the county cumulative capital development fund, and I.C. 36-9-15.5, the municipal cumulative capital development fund; and

WHEREAS, the City-County Council adopted the county cumulative capital development fund and the municipal cumulative capital development fund by passing Special Ordinances 35 and 36, 1984; and

WHEREAS, the property tax levy associated with the adoption of the cumulative capital development funds is estimated to provide additional revenues of approximately \$3.75 million; and

WHEREAS, it is the desire of the City-County Council to provide guidance in the allocation of these additional revenues to the various departments and county government; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
 CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council hereby establishes the following allocation guidelines for the 1985 cumulative capital development funds:

County Cumulative Capital Development Fund

county jails, courthouses and hospitals	\$ 780,000
parks and recreation	390,000
bridges, streets and roads	780,000
	<u>\$1,950,000</u>

City Cumulative Capital Development Fund

drainage (Dept. of Public Works)	\$ 720,000
sewers (Dept. of Public Works)	360,000
public safety - police vehicles	<u>720,000</u>
	<u>\$1,800,000</u>

TOTAL ALLOCATION	\$3,750,000
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SECTION 2. Any department wishing to use money from the cumulative capital development funds must nonetheless follow the procedure established by law for the appropriation of public funds.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 93, 1985. This proposal amends Chapter 8½ of the Code concerning cable television. Councillor Coughenour stated that Proposal No. 93 amends our current ordinance to be in compliance with new federal statutes. One major change is that anyone interested in a franchise shall file a Letter of Intent with the Cable Franchise Board. The Board shall then determine if it is in the best interest of the City to issue a Request for Proposals. The federal statutes have reduced local governments ability to regulate cable television rates, but included in Proposal No. 93, Section 8½-61(e), states that the operator shall not discriminate as to rates and charges among customers of basic services and (f), states that the city may require and regulate the installation or rental of equipment which facilitates the reception of basic cable service by hearing impaired individuals. The Administration Committee on March 18, 1985, recommended Proposal No. 93, 1985, Do Pass by a vote of 4-0. Councillor Coughenour moved, seconded by Councillor Gilmer for adoption. Proposal No. 93, 1985, was adopted on the following roll call vote; viz:

24 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, West

NO NAYS

5 NOT VOTING: Clark, Giffin, Page, Schneider, Strader

Proposal No. 93, 1985, was retitled **GENERAL ORDINANCE NO. 25, 1985**, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 25, 1985

A GENERAL ORDINANCE amending Chapter 8½ of the "Code of Indianapolis and Marion County, Indiana".

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Article I of Chapter 8½ of the "Code of Indianapolis and Marion County, Indiana", is amended by repealing Sec. 8½-1, Sec. 8½-2 and Sec. 8½-4 and by substituting therefor the following new sections:

Sec. 8½-1. Findings and declaration of purpose.

(a) Because the operation of a cable television system requires the permission of the city to use the public ways, the council determines that it is proper and expedient to franchise such systems.

(b) The council hereby finds that it is in the interest of the city that the public ways be used to make cable television available to the people of the city. It is intended that the provisions of this chapter should facilitate and encourage orderly and responsible development of a system or systems which will provide the people of the city with cable television service which is versatile, reliable and efficient; which is responsive to the needs and interest of the community; and which provides the widest possible diversity of information sources and services to the public. The provisions of this chapter shall be construed liberally to further this purpose.

Sec. 8½-2. Definitions.

As used in this chapter:

(a) the term "the Act" means the Cable Communications Policy Act of 1984, an amendment to the Communications Act of 1934 (47 U.S.C. "1601 et. seq.);

(b) the term "affiliate", when used in relation to any person, means another person who owns or controls, is owned or controlled by, or is under common ownership or control with, such person;

(c) the term "board" means the cable franchise board of the city, created by Section 8½-138 of this chapter;

(d) the term "cable channel" or "channel" means a portion of the electromagnetic frequency spectrum which is used in a cable system and which is capable of delivering a television channel (as television channel is defined by the federal communications commission by regulation);

(e) the term "operator" or "cable operator" means any person or group of persons (A) who provides cable service over a cable system and directly or through one or more affiliates owns a significant interest in such cable system, or (B) who otherwise controls or is responsible for, through any arrangement, the management and operation of such a cable system and who has been granted a franchise by the city or by any predecessor, governmental officer or organization authorized to grant a franchise.

(f) the term "cable service" means the one-way transmission to subscribers of (i) video programming, or (ii) other programming service, and subscriber interaction, if any, which is required for the selection of such video programming or other programming service;

(g) the term "cable television system" "cable system" or "system" means a facility, consisting of a set of closed transmission paths and associated signal generation, reception, and control equipment that is designed to provide cable service which includes video programming and which is provided to multiple subscribers within the city, but such term does not include (A) a facility that serves only to retransmit the television signals of 1 or more television broadcast stations; (B) a facility that serves only subscribers in 1 or more multiple unit dwellings under common ownership, control, or management, unless such facility or facilities uses any public right-of-way; (C) a facility of a common carrier which is subject, in whole or in part, to the provisions of title II of the Communication Act of 1934, as amended except that such facility shall be considered a cable system (other than for purposes of Section 621(c)

he Act (47 U.S.C. Section 1621(c)) to the extent such facility is used in the transmission of video programming directly to subscribers; or (D) any facilities of any electric utility used solely for operating its electric utility systems;

(h) the term "franchise" means an initial authorization, or renewal thereof including a renewal of an authorization which has been granted subject to Section 626 of the Act (47 U.S.C. Section 1626), issued by the city whether such authorization is designated as a franchise, permit, license, resolution, contract, certificate, agreement, or otherwise, which authorizes the construction or operation of a cable system;

(i) the term "other programming service" means information that a cable operator makes available to all subscribers generally;

(j) the term "person" means an individual, partnership, association, joint stock company, trust, corporation, or governmental entity;

(k) the term "public, educational, or governmental access facilities" means (A) channel capacity designated for public, educational, or governmental use; and (B) facilities and equipment for the use of such channel capacity;

(l) the term "public way" means the surface and the area above and below the surface of any public street, highway, lane, alley, sidewalk path, right-of-way or easement, and any public utility easement or right-of-way dedicated generally for public utility uses;

(m) the term "subscriber" means any person who contracts or agrees to receive the regular subscriber service, pay television, or any other service provided by a cable system, and includes anyone actually using such service;

(n) the term "video programming" means programming provided by, or generally considered comparable to programming provided by, a television broadcast station;

(o) the term "gross accrued revenues" means any and all revenues derived from the cable television operations of grantee under the franchise granted by the city whose terms are defined herein and as reflected in the financial statements of grantee, specifically excluding (1) any and all taxes or fees on services furnished by the grantee imposed directly on any subscriber or user by any city, county, state or other governmental unit, and collected by the grantee for such entity, (2) any and all interest income from any source attributed to such cable television operations, (3) any and all net income derived by grantee from the sale and transfer of cable television assets, and (4) any and all amounts of bad debts from such cable television operations that are written off by grantee;

(p) the term "clerk of the council" or "clerk" means clerk of the city-county clerk;

(q) the term "city" means the Consolidated City of Indianapolis, Marion County, Indiana, a municipal corporation of the State of Indiana.

8½-4. Previously awarded franchises.

This chapter shall apply to all franchise contracts whether granted before, on or after the effective date of this ordinance.

SECTION 2. Article II, Division 2 of Chapter 8½ of the "Code of Indianapolis and Marion County, Indiana", is amended by repealing Section 8½-21 through and including 8½-28, and substituting therefor the following:

Sec. 8½-21. Letter of intent.

(a) Any person interested in obtaining a cable television franchise may file a letter of intent expressing such interest with the board. The letter of intent must contain or be accompanied by:

- (1) A description of the geographic area proposed to be served;
- (2) A description of the type of service to be provided by the applicant; and
- (3) An explanation of the reasons why the granting of a franchise for the area described would be in the best interests of the city and its citizens and would not adversely affect the provision of cable service by existing franchises.

(b) Upon the receipt of a letter of intent the board shall determine whether a request for proposals for a cable franchise should be issued for the area described in the letter of intent. The board may determine to issue a request for proposals for an area larger than the area requested in the letter of intent. In making its determination the board may conduct such investigations as it deems appropriate, provided that the board shall hold at least one public hearing at which interested parties may appear and offer evidence concerning whether a request for proposals should be issued. Notice of the time and place of the public hearing shall be given in accordance with I.C. 5-3-1. Personal notice of the time and place of public hearing shall be given by mail to the person who filed the notice of intent and to all other operators of cable systems regulated by this chapter. The board's decision to issue or not issue a request for proposals shall be made within ninety (90) days of the date on which the letter of intent was received in the office of the board.

(c) In making its determination whether to issue a request for proposals the board shall consider whether the grant of a franchise for the area would be in the best interests of the city and its citizens and in so determining shall consider the following factors:

- (1) The need for cable service in the area;
- (2) Whether the granting of an additional franchise for the area will provide an improvement in cable services in the area or in other areas in the county;
- (3) Whether the granting of an additional franchise for the area will have a significantly adverse impact on the provision of cable service by other operators which have franchise to serve the area;
- (4) Whether the granting of an additional franchise furthers or impedes the purposes contained in Section 8½-1;
- (5) Any other factors which the board considers relevant to assure the continued provision of cable services that are responsive to the needs and interests of the city and its citizens.

(d) The board's determination will be made in writing and made a part of the records of the board.

(e) The board's determination may be reviewed by the council in its discretion, and the council may affirm or reverse the board's decision by adopting a resolution to that effect. The council may hold such public hearings, meetings and conduct such investigations as it deems appropriate and may consider new evidence in making its determination. The council's decision shall be based on the factors set forth in

subsection (c) hereof. The board's determination will be considered final if the council does not initiate proceedings under this subsection within thirty (30) days of the board's decision or if the council does not adopt a resolution as provided herein within one hundred twenty (120) days of the board's decision.

(f) Nothing in this section shall be construed to limit the power of the board or the council to issue a request for proposals on its own initiative.

Sec. 8½-22. Requests for proposals.

(a) In the event the board determines to issue a request for proposals for a cable television franchise, it shall prepare a request for proposals. In its request for proposals the board shall establish the term of the franchise and such requirements as it deems appropriate, including, but not limited to, the following:

- (1) That applicants provide designated channel capacity for public, educational or governmental uses and/or channel capacity on institutional networks for educational or governmental use;
- (2) That applicants provide cable channels for commercial use in conformity with the requirements of Section 612 of the Act (47 U.S.C. Section 1612);
- (3) That applicants provide certain facilities and equipment related to the establishment or operation of the cable system;
- (4) That applicants promise to provide cable service to subscribers on a non-discriminatory basis and to provide such service to any group of residential subscribers regardless of the income of the residents of the local area in which such group resides;
- (5) That the applicants agree to provide cable television service within all areas having a specified density of living units within the franchise territory. Such density shall be expressed in terms of number of living units per mile of system.

(b) The board shall require an application fee in its request for proposals, which fee shall be in the amount of one hundred dollars (\$100.00) plus two and one-half cents for every home or apartment, hotel or motel unit in the geographic area covered by the request for proposals.

Sec. 8½-23. Application for franchise.

(a) Upon the preparation of the request for proposals, the board shall give notice of the request for proposals by:

- (1) Posting the notice in three (3) public places;
- (2) Publication of the notice once each week for two (2) weeks in two newspapers of general circulation in the city; and
- (3) Mailing of the notice to any person the board knows to be interested in submitting an application.

The board may, in its discretion, publish the notice in any newspaper of national circulation and in trade magazines or publications of the cable television industry.

(b) The notice shall name a date upon which applications must be received at the office of the board and shall state that the forms of the request for proposals are available at the office of cable communications. The date for the receipt of the applications shall not be more than 30 days following the first publication of the notice required by Sec. 8½-23 (a)(2).

Sec. 8½-24. Contents of applications.

The board shall reject any application which does not contain the following:

(a) A description of the area of the requested franchise; provided that during the hearing process the board and council may consider modifications to the description of the area of franchise in any bid application.

(b) A construction schedule. Such schedule must specify the period of time from the execution of the franchise contract within which cable television service shall be made available to areas having the density required under Sec. 8½-22 (a)(5).

(c) A schedule indicating the initial tap-in and connection charges and the monthly rates to be charged subscribers.

(d) A description of the insurance policies to be acquired in satisfaction of the requirements of this chapter.

(e) A detailed statement of the corporate or other business entity organization of the applicant, including but not limited to the following, and to whatever extent required by the city:

(i) The names, residence and business address of all officers, directors and associates of the applicant.

(ii) The names, residence and business addresses of all officers, persons and entities having, controlling or being entitled to have or control five (5) per cent or more of the ownership of the applicant and the respective ownership share of each such person or entity.

(iii) The names and addresses of any affiliate of the applicant and a statement describing the nature of any such affiliate's business activity, including but not limited to cable television systems owned or controlled by the applicant, its affiliates, and the area served thereby.

(iv) A detailed description of all previous experience of the applicant in providing cable television system service and in related or similar fields.

(v) A detailed and complete financial statement of the applicant, prepared by a certified public accountant, for the fiscal year next preceding the date of the application hereunder, or a letter or other acceptable evidence in writing from a recognized lending institution or funding source, addressed to both the applicant and the board, setting forth a clear statement of its intent as a lending institution or funding source to provide whatever capital shall be required by the applicant to construct and operate the proposed system in the city, or a statement from a certified public accountant, certifying that the applicant has available sufficient free net and uncommitted cash resources to construct and operate the proposed system in the city, or other acceptable evidence in writing that the applicant is financially capable of constructing and operating the proposed system.

(vi) A statement identifying, by place and date, any other cable television franchises awarded to the applicant or its affiliates; the status of such franchise(s) with respect to completion thereof; the total cost of completion of such system(s); and the amount of the applicant's and its affiliate's resources committed to the completion thereof.

(g) A copy of any agreement covering the franchise area, if existing between the applicant and any public utility subject to regulation by the Indiana Public Service Commission, providing for use of any facilities of the public utility, including but not limited to poles, lines or conduits.

Sec. 8½-25. Report on application and notification of operators.

Upon receipt of the applications for a franchise, the board may refer the same to the director of the cable communications office, who shall prepare an evaluation of the applications and a recommendation of which applicant, if any, should be granted a franchise. The director's evaluation and recommendation shall be filed with the board within sixty (60) days. The director shall also sent written notification of the receipt of such application(s) to all cable television system operators which have a franchise governed by this chapter.

Sec. 8½-26. Hearing on application.

(a) Within forty (40) days of receipt of the applications, or receipt of the report and recommendations of the director of the cable communications office, if applicable, the board shall hold a public hearing to take evidence and hear argument on whether to grant a cable television franchise to one or more of the applicants either in the form proposed in an application, or as proposed by the board, or otherwise, and if so, the nature and extent thereof. The board shall base its determination hereunder on the criteria contained in Sec. 8½-27. Notice of such hearing shall be given by publication in accordance with I.C. 5-3-1, and if the board deems appropriate, in one or more trade journals of the cable television industry.

(b) At the time set for for such hearing, or an adjournment thereof, the board shall proceed to hear all written protests and other submissions and to hear evidence and argument from any interested persons in addition to any applicants or potential applicants. A record shall be kept of such hearing and the evidence presented therein.

(c) The board may propound regulations to govern the conduct of such hearings so as to allow for the orderly and efficient presentation of evidence and argument, and to prevent unnecessary duplication or delay.

Sec. 8½-27. Factors governing board's determination.

In making any determination hereunder, the board shall base its decision on the following factors:

- (a) The quality of the service, which the applicant promises and of which the applicant is capable;
- (b) The rates to the subscribers;
- (c) The income and expense to the city;
- (d) The needs of other users of the public right-of-way;
- (e) The effect on the ability of existing franchisees to perform their obligations under their franchise contracts;

(f) The experience, character, background and financial responsibility of any applicant, its management and owners; and

(g) The technical and performance quality of facilities and equipment related to the establishment or operation of a cable system; and

(h) The demonstrated willingness and ability of any applicant to meet construction and physical requirements and to abide by policies and limitations imposed by law or franchise agreements; and

(i) Any other considerations deemed pertinent by the board to its task of safeguarding the public health, safety and welfare, and facilitating and encouraging the orderly and responsible development of cable television system which will provide the people of the city with cable television service which is versatile, reliable, and efficient. The board shall make its determinations based on the record with a written statement of its findings and conclusions, and the reasons therefor.

Sec. 8½-28. Board action on application.

Within forty-five (45) days after the conclusion of the hearing provided for in Sec. 8½-26, the board shall determine whether to grant a franchise to one or more of the applicants.

(a) If the board shall determine after hearing that any application should be denied, such determination shall be final, subject to the appeal provisions of Sec. 8½-30.

(b) If the board shall determine after hearing that a franchise should be granted to one or more the applicants it shall adopt by resolution the proposed form of franchise contract, to which the applicant shall indicate its agreement in writing within fifteen (15) days. If the applicant does not agree in writing to the terms of such form of a franchise contract within fifteen (15) days, then its application shall be deemed denied.

(c) An application may not be amended after it is received by the board, except in any case in which only one application is received, said application may be amended for cause shown upon the unanimous consent of the board.

(d) The grantee or grantees shall pay the city a sum of money sufficient to reimburse it for all of its publication and other expenses incurred in connection with the granting of a franchise pursuant to the terms of this ordinance.

(e) No provision of this division shall be construed to require the city to grant any franchise contract and the board or the council may reject any and all applications.

Sec. 8½-29. Additional powers of the board.

(a) The board may also at any time, on its own motion, conduct public hearings to determine whether it is feasible or desirable to grant any cable television franchise by issuing a request for proposals. The board shall base its determination on the criteria contained in Sec. 8½-21. Such hearings shall be advertised in accordance with the provisions I.C. 5-3-1.

(b) The board may for good cause extend any of the time limits imposed in Secs. 8½-21 through 8½-28.

Sec. 8½-30. Council review of rejections.

Any person whose application is rejected by the board may, within ten (10) days of such action, petition the council for a review of that decision by filing notice

thereof and a copy of the resolution of the board with the clerk of the council. If the council determines that the rejection is improper under this division, it may by resolution direct the board to reconsider its action. In making its determination hereunder the council shall consider as evidence, and give due weight to, the findings and conclusions of the board and shall consider the criteria contained in Sec. 8½-27.

Sec. 8½-31. Council action on recommended contracts.

Within thirty (30) days of the board's resolution recommending a franchise and contract, the council shall introduce an ordinance approving and confirming the contract as accepted in the board's resolution. The council shall act upon the ordinance within sixty (60) days of its introduction, except that such time may be extended by the council for good cause. The council may:

(a) Adopt the ordinance, subject to the veto of the mayor, in which case the director of the cable communications office will be directed to execute the franchise contract, and ten (10) days after the mayor signs the ordinance, the franchise contract holder shall pay an award fee by certified check payable to the city, in an amount equal to twenty cents (\$0.20) for every home or apartment, hotel or motel unit in the geographic area covered by the franchise, provided that such award fee shall not be less than five hundred dollars (\$500.00), or;

(b) Defeat the ordinance, in which case the application shall be denied, or;

(c) By resolution direct the board to consider certain modifications or amendments for the franchise contract, in which case the board shall reconsider the application.

In making its determination hereunder, or under Sec. 8½-30, the council shall review the record of proceedings before the board, and it may, in its discretion, consider new evidence. In making its determination hereunder, the council shall consider as evidence, and give due weight to, the findings and conclusions of the board, and shall consider the criteria contained in Sec. 8½-27. Under no circumstances shall the council by ordinance approve or confirm any franchise contract unless the precise language has been accepted by the board prior to the council's action.

SECTION 3. Article IV of Chapter 8½ of the "Code of Indianapolis and Marion County, Indiana", is amended by repealing Sec. 8½-61, 8½-62, 8½-65 and 8½-66; by renumbering Sec. 8½-63 as Sec. 8½-62, Sec. 8½-64 as Sec. 8½-63, Sec. 8½-67 as Sec. 8½-65 and Sec. 8½-68 as Sec. 8½-66 and by adopting the following new Secs. 8½-61 and 8½-64:

Sec. 8½-61. Subscribers rates and charges.

(a) The city may regulate rates and charges to subscribers for signals distributed to the extent permitted by Section 623 of the Act (47 U.S.C. Section 1623) or any regulations promulgated pursuant thereto by the federal communications commission.

(b) To the extent the city is permitted to regulate rates and charges, the following procedures shall be used to review and approve changes in rates and charges:

- (1) The operator shall follow the procedures specified for changes in rates and charges set forth in the operator's franchise contract.
- (2) In addition to submitted any amended schedule of rates and charges to the council for approval as required by its franchise contract, the operator shall also submit such schedule to the board for its recommendation to the council.

Along with such amended schedule, the operator shall submit to the board and council evidence showing rates charged by cable television systems providing comparable services in comparable localities and the following financial reports which shall reflect the operations of the system:

- (i) Balance sheet.
 - (ii) Income statement.
 - (iii) Cash flow statement.
 - (iv) Statement of source of application of funds.
 - (v) Detailed supporting schedules of expenses, income, assets and other items as may be required.
- (3) The criteria for the board's recommendation and the council's decision shall be the establishment of rates and charges which are fair, reasonable and non-discriminatory. Fair and reasonable shall mean what is fair and reasonable to both the operator and the subscribers and shall be generally defined as the minimum rates and charges necessary to meet all applicable costs of service, including fair return on all invested capital, all assuming efficient and economical management of the system.
- (4) The operator's accounting records applicable to the system shall be available for inspection by the city at all reasonable times. The city shall have access to records of financial transactions for the purpose of verifying burden rates or other indirect costs prorated to the operation of this system. The documents listed above shall include sufficient detail and/or footnotes as may be necessary to provide the city with the information needed to make accurate determinations as to the financial condition of the system. All financial statements shall be certified as accurate by an officer of the operator.
- (5) Any disagreement between the city and the operator concerning interpretations and calculations of the financial and statistical information provided by the operator may be submitted to a court of competent jurisdiction.
- (6) The city reserves the right to review the purchase price of any transfer or assignment of the system, and any assignee to the franchise expressly agrees that any negotiated sale value which the council deems unreasonable will not be considered in the rate base for any subsequent request for service increases.
- (c) The procedures specified in subsection (b) hereof shall apply only to the extent they do not conflict with regulations concerning rates promulgated by the federal communications commission pursuant to Section 623 of the Act (47 U.S.C. Section 1623).
- (d) Any request for a change in subscriber rates and charges, whether filed under the procedures set forth in subsection (b) hereof or filed pursuant to any other procedures which may apply, shall be deemed to be granted if final action has not been taken by the city on such request within 180 days after receipt of the request by the board unless the 180-day period is extended by mutual agreement of the operator and the city.
- (e) Regardless of whether the city regulates or is authorized to regulate rates and charges to subscribers, the operator shall not discriminate as to rates and charges among customers of basic service.
- (f) In any request for proposals or as a condition of the renewal of existing franchises, the city may require and regulate the installation or rental of equipment which facilitates the reception of basic cable service by hearing impaired individuals.

Sec. 8½-64. Cable channels for public, educational or governmental use.

(a) The operator shall provide any public, educational or governmental access channel required under its franchise on a non-discriminatory basis. The operator shall provide such services, facilities, or equipment relating to public, educational, or governmental use of channel capacity as are required under this franchise.

(b) The board may promulgate rules and procedures for the use of channel capacity designated for public, educational or governmental access.

(c) In the case of any franchise under which channel capacity is designated for public, educational, or governmental use, the board may promulgate rules and procedures under which the operator is permitted to use such channel capacity for the provision of other services if such channel capacity is not being used for such designated purposes and rules and procedures under which such permitted uses will cease.

(d) The operator shall be responsible for preventing the presentation on public educational or governmental access channels of:

- (1) any material designed to promote the sale of commercial products or services; and
- (2) prerecorded programming which violates the provisions of the "Code of Indianapolis and Marion County, Indiana" with respect to obscenity and pornography.

(e) The operator shall have no authority to control the programs presented over any public access channel and shall have no legal liability for obscenity or pornography except for productions originating from facilities within the control of the operator.

SECTION 4. Article V of Chapter 8½ of the "Code of Indianapolis and Marion County, Indiana", is amended by adding a new Section 8½-89 to read as follows:

Sec. 8½-89. Modifications of franchise.

Any operator may obtain a modification of the requirements of its franchise to the extent permitted by and in accordance with the procedures set forth in Section 625 of the Act (47 U.S.C. Section 1625). A request for modification shall be filed with the board and must be approved by the board and the council in order to be effective.

SECTION 5. Article VII of Chapter 8½ of the "Code of Indianapolis and Marion County, Indiana", is amended by repealing Section 8½-111 and substituting therefor a new Section 8½-111 to read as follows:

Sec. 8½-111. Term and renewal of franchise.

(a) Any franchise contract granted pursuant to Article II hereof shall take effect and be in force from and after its effective date for a term specified in the franchise contract not to exceed fifteen (15) years upon the conditions set forth in this chapter and the franchise contract, except that any franchise awarded prior to the date stated in Sec. 8½-4 shall be in force from and after its effective date for such term as may be provided in said franchise contract.

(b) A franchise contract may be renewed in accordance with the procedures and standards specified in Section 626 of the Act (47 U.S.C. Section 1626). Such renewal procedures and standards shall apply to any franchise contract, notwithstanding any contract provision to the contrary and regardless of when such franchise was granted.

(c) Any requirement for public notice of any proceeding conducted pursuant to Section 626 of the Act (47 U.S.C. Section 1626) shall be given in accordance with I.C. 5-3-1 or other applicable provision of state law and shall also be given by the cable operator who's franchise is being considered for renewal on at least one channel of the cable system pursuant to rules for such notice established by the board.

(d) If the city conducts a proceeding authorized by Section 626 (a) of the Act (47 U.S.C. Section 1626(a)), the board shall, at the completion of such proceedings, notify the cable operator of the following:

- (1) the date such proceedings were completed;
- (2) whether the board is requesting the operator to submit a proposal for a renewal, and if so, setting forth the requirements for such a proposal;
- (3) the date by which a renewal proposal shall be submitted by the operator.

(e) The decision to grant or deny a proposal for renewal shall be made by the board, subject to approval by the council.

SECTION 6. Article VIII of Chapter 8½ of the "Code of Indianapolis and Marion County, Indiana", is amended by repealing Sec. 8½-121 thereof.

SECTION 7. Should any provision (section, paragraph, sentence, clause or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision shall not be affected, if and only if such remaining provision can, without the invalid provision or provisions, be given the effect intended by the council in adoption of this chapter. To this end the provisions of this ordinance are severable.

SECTION 8. Any person that has pending with the board on the effective date of this ordinance an application for a franchise to furnish cable service may amend its application to comply with the provisions of Sec. 8½-24 of this ordinance, which shall then be considered by the board in accordance with the provisions of Sec. 8½-25 and following.

SECTION 9. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 102, 1985. This proposal establishes a loading zone on a portion of Lockerbie Street. Councillor Gilmer explained that several citizens attended the committee meeting to speak against Proposal No. 102 and the Transportation Committee on March 20, 1985, recommended Proposal No. 102, 1985, To Be Stricken by a vote of 5-0. Councillor Rhodes, sponsor of this proposal, stated his support of the committee's action and pointed out that there is a large problem in Lockerbie with the parking and it's something that needs to be corrected. Councillor Gilmer moved, seconded by Councillor Rhodes, to strike Proposal No. 102, 1985. The motion passed by a unanimous voice vote.

PROPOSAL NO. 111, 1985. This proposal transfers \$12,849 for the Juvenile Detention Center for plaintiff attorney fees. Councillor Dowden explained that two federal lawsuits were filed in 1979 and partially resolved in December, 1982. Proposal No. 111, transfers funds to pay plaintiff attorney fees which the Juvenile Detention Center has been ordered to pay. The Public Safety and Criminal Justice Committee on March 13, 1985, recommended Proposal No. 111, 1985, Do Pass by a vote of 9-0. Councillor Dowden moved, seconded by Councillor Nickell for adoption. Proposal No. 111, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, West*

NO NAYS

5 NOT VOTING: *Clark, Giffin, Page, Schneider, Strader*

Proposal No. 111, 1985, was retitled FISCAL ORDINANCE NO. 27, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 27, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Twelve Thousand Eight Hundred Forty-nine Dollars (\$12,849) in the County General Fund for purposes of the Juvenile Detention Center and reducing certain other appropriations for that division.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(5) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds for plaintiff attorney fees in a suit against the Juvenile Detention Center.

SECTION 2. The sum of Twelve Thousand Eight Hundred Forty-nine Dollars (\$12,849) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

JUVENILE DETENTION CENTER	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$12,849</u>
TOTAL INCREASE	\$12,849

SECTION 4. The said increased appropriation is funded by the following reductions:
JUVENILE DETENTION CENTER COUNTY GENERAL FUND

2. Supplies	<u>\$12,849</u>
TOTAL REDUCTION	<u>\$12,849</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 116, 1985. This proposal changes intersection controls at Beechwood and Fenton Avenues. Councillor Gilmer reported that the citizens in this area had requested the stop sign to help slow down the traffic because there are no sidewalks in the neighborhood. It is a safety hazard for the residents who walk in the neighborhood, they must walk in the street. The Transportation Committee on March 20, 1985, recommended Proposal No. 116, 1985, Do Pass by a vote of 5-0. Councillor Gilmer moved, seconded by Councillor Durnil for adoption. Proposal No. 116, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, West*

NO NAYS

5 NOT VOTING: *Clark, Giffin, Page, Schneider, Strader*

Proposal No. 116, 1985, was retitled GENERAL ORDINANCE NO. 26, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 26, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
27, Pg. 1	Beechwood St. & Fenton Av.	Beechwood St.	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
27, Pg. 1	Beechwood St. & Fenton Av.	NONE	4-WAY STOP

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL SERVICE DISTRICT COUNCILS

POLICE SPECIAL SERVICE DISTRICT COUNCIL

The President called the Police Special Service District Council to order at 8:55 p.m. Twenty-five members being present, he announced a quorum.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 110, 1985. This proposal appropriates \$84,600 for the Police Division for overtime, equipment and training expenses which will be reimbursed. Councillor Dowden explained that the expenditures are for overtime patrol enforcement efforts of the DWI Task Force, the purchase of 24 portable breath testing devices and 4 radar units, training for DWI task force personnel, a computer terminal printer and related software. The Public Safety and Criminal Justice Committee on March 13, 1985, recommended Proposal No. 110, 1985, Do Pass by a vote of 8-0. The President called for public testimony at 8:56 p.m.

There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst for adoption. Proposal No. 110, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

5 NOT VOTING: *Clark, Dowden, Giffin, Page, Schneider*

Proposal No. 110, 1985, was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1985, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1985

A FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1985 (P.S.S.D. Fiscal Ordinance No. 3, 1984) appropriating an additional Eighty-four Thousand Six Hundred Dollars (\$84,600) in the Police General Fund for purposes of the Department of Public Safety, Police Division and reducing the unappropriated and unencumbered balance in the Police General Fund.

**BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Police Special Service District Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for overtime, equipment and training which will be reimbursed by the Indiana Division of Highway Traffic Safety and by the University of North Carolina, Highway Safety Research Center.

SECTION 2. The sum of Eighty-four Thousand Six Hundred Dollars (\$84,600) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

1. Personal Services
3. Other Services & Charges
4. Capital Outlay

TOTAL INCREASE

POLICE	GENERAL	FUND
	\$50,000	
	22,700	
	<u>11,900</u>	
	\$84,600	

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

Unappropriated and Unencumbered

Police General Fund

TOTAL REDUCTION

POLICE	GENERAL	FUND
	<u>\$84,600</u>	
	\$84,600	

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

There being no further business the Police Special Service District Council adjourned at 8:57 p.m.

President SerVaas reconvened the meeting of the City-County Council at 8:57 p.m.

PROPOSAL NO. 95, 1985. This proposal appropriates \$360,000 for the Administration Division, Department of Parks and Recreation to improve park facilities

at various locations. Councillor Durnil requested that this be postponed until the April 15, 1985, Council meeting. Consent was give to this request.

ANNOUNCEMENTS AND ADJOURNMENT


Councillor West announced that the Public Works Committee meeting schedule for Thursday, March 28, 1985, has been moved to Thursday, April 4, 1985, at 5:00 p.m.

Councillor Miller recognized Mr. Harry E. Eakin who is attending his last Council meeting in his current capacity of County Auditor. He is leaving this position to become the State Insurance Commissioner for Governor Orr.

There being no further business and upon motion duly made and seconded, the meeting adjourned at 9:02 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis, Police, Fire and Solid Waste Collection Special Service District Councils on the 26th day of March, 1985.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.


President

ATTEST:


Clerk of the City County Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND SPECIAL SERVICE DISTRICT COUNCILS
OF INDIANAPOLIS, MARION COUNTY, INDIANA**

REGULAR MEETINGS - MONDAY, APRIL 15, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:02 p.m., on Monday, April 15, 1985, with Councillor SerVaas presiding.

The meeting was opened with a prayer and the Pledge of Allegiance to the Flag by Councillor Beulah Coughenour.

ROLL CALL

Councillor SerVaas instructed the Clerk to take the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

ABSENT: Durnil

Twenty-eight members being present, he announced a quorum was present.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

**TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE,
FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT
COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,
INDIANA:**

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, April 15, 1985, at 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

**s/Beurt SerVaas, President
City-County Council**

April 1, 1985

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on April 4, 1985, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 95, 99, 100, 101, 132, 135, 137, 139, 1985, to be held on Monday, April 15, 1985, at 7:00 p.m., in the City-County Building.

Respectfully,

**s/Beverly S. Rippy
City Clerk**

April 3, 1985

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS on April 4, 1985, and The Indianapolis COMMERCIAL on April 8, 1985, a copy of PUBLIC NOTICE of a Public Hearing on Proposal No. 133, 1985; said ordinance was also advertised by the firm of Baker and Daniels in the Indianapolis STAR on April 5, 1985, for the hearing to be held on Monday, April 15, 1985, at 7:00 p.m., in the City-County Building.

Respectfully,

**s/Beverly S. Rippy
City Clerk**

April 8, 1985

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on April 12, 1985, a copy of LEGAL NOTICE of General Ordinance Nos. 24 and 25, 1985.

Respectfully,

s/Beverly S. Rippy
City Clerk

March 29, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 2, 1985, amending the Police Special Service District Annual Budget for 1985 appropriating an additional \$84,600 in the Police General Fund for purposes of the Department of Public Safety, Police Division and reducing the unappropriated and unencumbered balance in the Police General Fund.

FISCAL ORDINANCE NO. 20, 1985, amending the City-County Annual Budget for 1985 appropriating an additional \$50,000 in the Consolidated County Fund for purposes of the Department of Administration, Central Equipment Management Division and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

FISCAL ORDINANCE NO. 21, 1985, amending the City-County Annual Budget for 1985 appropriating an additional \$28,060 in the County General Fund for purposes of Various County Agencies and reducing certain other appropriations for the Marion County Auditor.

FISCAL ORDINANCE NO. 22, 1985, amending the City-County Annual Budget for 1985 appropriating an additional \$460,756 in the County General Fund for purposes of the Prosecutor's Child Support Agency and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 23, 1985, appropriates \$25,000 for the Prosecutor's Child Support Agency for consulting services for the Electronic Funds Transfer Pilot Project.

FISCAL ORDINANCE NO. 24, 1985, amending the City-County Annual Budget for 1985 appropriating an additional \$18,230 in the State and Federal Grant Fund for purposes of the Marion County Prosecutor and Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 25, 1985, appropriates \$22,000 for the Prosecutor for a federal training grant and the White Collar Crime and Public Corruption Investigations.

FISCAL ORDINANCE NO. 26, 1985, amending the City-County Annual Budget for 1985 appropriating an additional \$300,000 in the County Cumulative Building Fund for purposes of the Marion County Auditor and reducing the unappropriated and unencumbered balance in the County Cumulative Building Fund.

FISCAL ORDINANCE NO. 27, 1985, amending the City-County Annual Budget for 1985 transferring and appropriating \$12,849 in the County General Fund for purposes of the Juvenile Detention Center and reducing certain other appropriations for that division.

GENERAL ORDINANCE NO. 23, 1985, rezoning ordinance certified by the Metropolitan Development Commission on March 21, 1985.

GENERAL ORDINANCE NO. 24, 1985, amending the "Code of Indianapolis and Marion " concerning activities in the right-of-way.

GENERAL ORDINANCE NO. 25, 1985, amending Chapter 8½ of the "Code of Indianapolis and Marion County, Indiana."

GENERAL ORDINANCE NO. 26, 1985, amending the "Code of Indianapolis and Marion " Section 29-92, Schedule of intersection controls.

SPECIAL ORDINANCE NO. 10, 1985, a final bond ordinance authorizing the issuance of \$1,300,000 Economic Development Revenue Bonds for the Community Blood Bank of Marion County, Inc. d/b/a Central Indiana Regional Blood Center.

GENERAL RESOLUTION NO. 5, 1985, concerning the disposition of cumulative capital development funds.

SPECIAL RESOLUTION NO. 21, 1985, honoring Wayne Township Volunteer Fire Department Firefighters Lieutenant Jeffery Wilson, Private Tony Buckrop and Lieutenant Brian Griffith.

SPECIAL RESOLUTION NO. 22, 1985, memorializing Bernice Fraction.

SPECIAL RESOLUTION NO. 23, 1985, recognizing the achievements of the American Business Women's Association and welcoming their 1985 Regional Convention.

SPECIAL RESOLUTION NO. 24, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 25, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 26, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 27, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 28, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 29, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

Respectfully submitted,

s/William H. Hundut, III

ADOPTION OF AGENDA

Consent was given for the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of April 15, 1985.

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections for the Journal of February 25, 1985. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS --

PROPOSAL NO. 172, 1985. This proposal sponsored by Councillors McGrath, Strader, Page and Clark, is in memoriam of Lanny D. Gerber. Councillor McGrath read the resolution and presented it to Mrs. Gerber. Also present were Mr. Gerber's father and brother. Councillor McGrath moved, seconded by Mrs. Journey for adoption. Proposal No. 172, 1985, was adopted by unanimous voice vote and retitled SPECIAL RESOLUTION NO. 30, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 30, 1985

A SPECIAL RESOLUTION in memoriam of Lanny D. Gerber.

WHEREAS, Lanny D. Gerber was President of Fountain Square Merchants Association, Chairman of the Franklin Township Informer Newspaper and Chairman of the Board of Stirling - Gerber Funeral Homes; and

WHEREAS, Mr. Gerber was a lifelong resident of Indianapolis, had been President of the Southside Exchange Club, Franklin Township Civic League and Wanamaker Businessmen's Association, and served on the Board of Directors of Fountain Square Girls Club, Buck Creek Players and the Fountain Square Design and Review Committee; and

WHEREAS, Lanny Gerber served as financial secretary of the Indianapolis Shakespeare Festival and the Southeast Health Care Center, was a charter member of Indy East Kiwanis Club and a member of the Franklin Township Historical Society, Wanamaker - New Bethel Sesquicentennial Committee, Garfield Christian Church, the Scottish Rite, Murat Shrine and Pleasant Masonic Lodge; and

WHEREAS, Lanny Gerber passed away Friday, March 29, 1985; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council conveys its condolences to the family of Lanny D. Gerber.

SECTION 2. The City-County Council further expresses its gratitude for Mr. Gerber's service to his community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 173, 1985. This proposal honors the Indianapolis Youth Hockey Team. Councillor SerVaas read the resolution and introduced the team members and coaches present. Coach Kilander expressed his appreciation for the support received throughout the community for these young gentlemen. Councillor SerVaas moved, seconded by Councillor Howard for adoption. Proposal No. 173, 1985, was adopted by unanimous voice vote and retitled SPECIAL RESOLUTION NO. 31, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 31, 1985

A SPECIAL RESOLUTION honoring the Indianapolis Youth Hockey Team.

WHEREAS, the Indianapolis Youth Hockey Team has compiled an outstanding record this year of 40-15-13; and

WHEREAS, the Indy Travelers were the Indiana State Pee-Wee Ice Hockey Champions; and

WHEREAS, on March 31st the Indianapolis Youth Hockey Team won the Mid-American Regional Championship in Monsey, New York; and

WHEREAS, the Indy Travelers were one (1) of eight (8) teams in the country to play in the National Pee-Wee Ice Hockey Championship; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council both honors and congratulates Indianapolis Youth Hockey Team Members Kevin Richey, C. J. Glander, Evan Porter, Scott Hill, Jeff Peters, K. C. Schneider, Brian Renfro, Ryan Hughes, Jason Streeter, David Karlander, Mark Tarowsky, Jamie Spencer, D. J. Schuchman, Chad Deady, Coach Al Karlander, Assistant Coach Ron Spencer and Team Manager Frank Renfro.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor SerVaas asked for consent to move Proposal No. 133, 1985, forward on the agenda under SPECIAL ORDERS - PRIORITY BUSINESS. Consent was given.

MODIFICATION OF SPECIAL ORDERS

PROPOSAL NO. 182, 1985. This proposal reaffirms the appointment of George Bixler. Councillor Miller explained that Mr. Bixler had undergone heart surgery and had missed three meetings of the Commission during his recuperation period and must be reaffirmed by the Council in order to continue to serve. Councillor Miller moved, seconded by Councillor Gilmer for adoption. Proposal No. 182, 1985, was adopted by unanimous voice vote and retitled **COUNCIL RESOLUTION NO. 11, 1985**, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 11, 1985

A COUNCIL RESOLUTION reaffirming the appointment of George M. Bixler to the Metropolitan Development Commission of Marion County, Indiana.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The appointment of George M. Bixler to the Metropolitan Development Commission of Marion County, Indiana, made pursuant to City-County Council Resolution No. 3, 1985, is hereby reaffirmed.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 183, 1985. This proposal regards the funding for Hazardous Material Resource Teams. Councillor Coughenour explained that the Transportation Committee listened to several hours of public testimony concerning the transportation of hazardous material and a major concern of the various fire departments was the funding for additional equipment and training. Proposal No. 183, pledges the support of the Council to try and locate funding for this very

important project. Councillor Coughenour moved, seconded by Councillor West for adoption. Proposal No. 183, 1985, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 32, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 32, 1985

A SPECIAL RESOLUTION regarding funding for Hazardous Material Resource Teams.

WHEREAS, the safe transportation of Hazardous Material through the City of Indianapolis and the County of Marion, Indiana is essential for the health and welfare of all citizens; and

WHEREAS, in order to best insure the safe transportation of said Hazardous Materials through our City and County that the equipment and training necessary to respond to a Hazardous emergency are not currently available; and

WHEREAS, the Mayor's Hazardous Materials Advisory Council has recommended that several Hazardous Material Response Teams be organized, trained and equipped throughout Indianapolis and Marion County; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis-Marion County City-County Council hereby pledges its support in seeking, identifying, and obtaining those financial resources necessary to fund the equipping and training of said Hazardous Material Response Teams.

SECTION 2. Said financial resource obtainment shall be performed with the goal of providing a coordinated, comprehensive Indianapolis-Marion County Hazardous Material Response effort.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 157, 1985. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE for a final bond ordinance authorizing the issuance of \$500,000 Economic Development Revenue Bonds for Pakway Container Corporation"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 161, 1985. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION for an inducement resolution authorizing interim (construction) financing for Jack E. Kovich, David C. Kovich and Chris C. Kovich d/b/a The Sanctuary Development Com-

pany, an Indiana Limited Partnership in an approximate amount of \$35,000,000;" and the President referred it to the Economic Development Committee.

PROPOSAL NO. 162, 1985. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for John Loudermilk and Geneva P. Loudermilk in an approximate amount of \$2,100,000"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 168, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$100,000 for the City Legal Division for contractual legal services"; and the President referred it to the Administration Committee.

PROPOSAL NO. 169, 1985. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$2,000 for the City-County Council to purchase additional word processing equipment"; and the President referred it to the Administration Committee.

PROPOSAL NO. 170, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$20,224 for various County Agencies to hire students for the summer months which will be 50% reimbursed"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 171, 1985. Introduced by Councillors Strader, Boyd, Crowe, Hawkins, Howard, Journey and Shaw. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION recommending the renaming of certain streets to "Dr. Martin Luther King, Jr. Street"; and the President referred it to the Metropolitan Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 133, 1985. This proposal approves the issuance of City of Indianapolis Redevelopment District Bonds of 1985 in the amount of \$45,750,000. Councillor Borst stated that the Metropolitan Development Committee on March 27, 1985, recommended Proposal No. 133, 1985, Do Pass As Amended (technical amendment) by a vote of 4-0. The Committee met for four hours on this proposal and the testimony they heard indicated that the neighborhood people wanted these projects done. The impact that will be made by passing this proposal will stimulate growth all around the City. Some parts of the City will be stabilized and residents will be encouraged to remain in those neighborhoods that need them. This bond issue will allow the City to provide a much safer Pan American Games for both the athletes and fans. It will provide 1,342 construction jobs and 1,574 permanent jobs. Councillor Borst pointed out that if the tax base is not increased then the tax rate increases. Money must be invested to allow this City to grow. President SerVaas announced that if someone has signed a petition against the bond issue and may have now changed their mind then, the signatures can be rescinded by contacting the County Auditor's Office. Councillor Borst moved, seconded by Councillor Miller for adoption.

Councillor Curry pointed out that no one wants taxes to increase. To achieve growth, a city must attract developers to build which increases the tax base. This bond issue will provide several jobs for the community on a long-term and short-term basis. Councillor Curry stated that he travels internationally and Indianapolis is building a name for itself and this bond issue will continue that process.

The President called for public testimony at 7:35 p.m. President SerVaas explained that two minutes will be allowed for individuals and five minutes for representatives of organizations.

Mr. Carl Moldthan, Director of the Indianapolis Taxpayers Association, made the statement that the Council is elected to represent their people and only in emergency situations should they put aside popular views to deal with the emergency. But this bond issue won't purchase police cars or pave streets, this bond issue makes large developers larger at the taxpayers expense. This should not be a priority while the services of the City are not up to par. Mr. Moldthan stated that the Indianapolis Taxpayers Association has made several suggestions to help

improve this bond issue but none were taken seriously. Mr. Moldthan indicated that 5,000 more signatures were delivered to the Auditor's Office today.

Mr. Harry Schidler and Mr. Charles A. Tony spoke against the bond issue. Mr. Tony stated that he would rather have property taxes raised for school teachers for inner-city children. Children are more important than the Pan Am Games. Both speakers urged that the Council defeat Proposal No. 133.

Reverend Caloman stated that there are certain questions being asked in the black community that have not been addressed. He pointed out that 40% of the black people in this community are property owners and they do not see ownership equity. Lockfield Gardens for 40 years has been occupied by black people. When this project is finished, it has been said that 20% will be for low income people. There are several college students that can qualify for this. The blacks feel that they are getting short changed. He suggested that the Council delay action on Proposal No. 133, until negotiations can be held with a management team from the black community.

Mrs. Adams from the United North West Area, stated that 20 years ago downtown was rough and ugly. This bond issue will help build neighborhoods. When you build neighborhoods you are building something that people can depend on and working on crime makes you have a feeling of security. They support this bond issue.

Mr. Tom Miller, Vice President of the Greater Indianapolis Firefighters Union and President of the Indiana Professional Firefighters Association, and Mr. Dorsey Taylor, a minority contractor spoke in support of this bond issue. They urged the Council to pass Proposal No. 133.

Councillor West expressed that historically, he has served on the Council during the time when several of the plans for the City have been laid. In his opinion this City must plan to build more in the central city. The public/private partnership has worked in the past and will continue to work. Pay back will be \$125,000,000 that the City will receive for rent and property taxes a few years down the road. The Pan Am bond issue is really a part of the City's Master Plan. Mr. West encouraged using the Pan Am Games as a deadline not a problem.

Councillor SerVaas passed the gavel to Councillor Miller at 8:02 p.m. and commended Carl Moldthan for doing a good job. He stated that our Mayor was happy for the opportunity to bring a great event to this City and also start the third wave of reconstruction for Marion County. The bond issue was given the name of the Pan Am Bond Issue but it's really for the revitalization of our community. Just recently, the City of Indianapolis was recognized as one of two major cities in America that ended every fiscal year in the black for the last ten years. This City has a debt service tax rate. In 1976, that debt rate was 71' per 100. If this bond issue is passed, it will be 70' per 100, which is still 1 cen less than what the tax rate was in 1976. With the investments that will be made in Center Township, it is believed that we can continue to build our tax base and so keep taxes at a lower level. Mr. Moldthan's success will be the community's loss and if it can't be done right then, the City should withdraw from the Pan Am Games.

Councillor SerVaas explained that the Mayor is at home recooperating from a recent surgery, but wished to speak to the Council on this major issue via telephone.

Mayor William H. Hudnut, III, apologized for not being present but wished to point out that this bond issue will provide 1200 units of new housing along the Canal and up Indiana Avenue; 14 neighborhood improvement projects that will trigger additional housing and economic development activity in those deteriorating situations; a fitness center that will have national significance; improvements to the block between the Hoosier Dome and Union Station; and finally, helping to make possible a major new downtown hotel near the Convention Center. These are all things that will be of long-range benefit to Indianapolis, long after the Pan Am Games are history and our City will be the loser if the projects fail. He also pointed out that in the last 10 years, the City has floated \$150 million worth of bonds. Of that amount, 44% was for the county as a whole, the remaining 56% went to projects in the nine townships. Of that amount, more than twice as much was spent outside of Center Township as inside. This bond issue is for Marion County not just Center Township and he asked for the Council's favorably support by passage of Proposal No. 133.

Proposal No. 133, 1985, as amended, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West
2 NAYS: Dowden, Schneider
1 NOT VOTING: Durnil

Proposal No. 133, 1985, as amended, was retitled GENERAL RESOLUTION NO. 6, 1985, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 6, 1985

A GENERAL RESOLUTION approving the issuance of "City of Indianapolis Redevelopment District Bonds of 1985" in the amount of \$45,750,000.

WHEREAS, a petition has been filed under the provisions of I.C. 6-1.1-20-3 by more than fifty (50) owners of real property subject to taxation in the Indianapolis Redevelopment District of the City of Indianapolis in Marion County, Indiana, requesting the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, to issue bonds in an amount not to exceed Forty-five Million Seven Hundred Fifty Thousand Dollars (\$45,750,000) to procure funds to be applied to the cost of property acquisition and redevelopment in blighted, deteriorated, or deteriorating areas of the Indianapolis Redevelopment District together with expenses incidental thereto and in connection with the issuance of the bonds, including, without limitation, the cost of acquisition of property, relocation, demolition, site preparation, utility construction and relocation or improvement, construction, repair and rehabilitation of parking facilities, public ways, parks, streets, sewers, pedestrian skywalks and other buildings and improvements, professional services, supervision and/or other redevelopment activities in one or more of the following areas:

PAN AM HOUSING PROJECT

The Pan Am Housing Project consists of the following two projects:

1. **CANAL PROJECT.** The Canal Project is located in an area bounded by North Street on the north, West Street on the west, New York Street on the south and Senate Avenue on the east.
2. **LOCKEFIELD GARDENS PROJECT.** The Lockefield Gardens Project is located in an area bounded by Indiana Avenue on the north and east, by Locke Street on the west and North Street on the south.

THE UNITED STATES FITNESS CENTER PROJECT

The United States Fitness Center Project is located on the southern portion of the Indiana University Purdue University at Indianapolis campus on Agnes Street near White River.

MIDTOWN HOUSING PROJECT

The Midtown Housing Project is located in an area bounded by 10th Street on the north, Indiana Avenue on the west, St. Clair Street on the south, and West Street on the east.

HISPANIC AMERICAN CENTER PROJECT

The Hispanic American Center Project is located at 617 East North Street.

2700 PLACE PROJECT

The 2700 Place Project is located in an area bounded by 28th Street on the north, Franklin Place on the west, Roache Street on the south, and Northwestern Avenue on the east.

RURAL I-70 INDUSTRIAL PARK PROJECT

The Rural I-70 Industrial Park Project is located in an area bounded by Interstate 70 on the north, Massachusetts Avenue on the west, 21st Street on the south and Adams Street on the east.

38TH AND COLLEGE PROJECT

The 38th and College Project is located at 604 and 630 East 38th Street and 3775, 3811, 3827, and 3842 North College Avenue.

BELMONT THEATER PROJECT

The Belmont Theatre Project is located at 2041, 2043, 2045, 2047, 2049 and 2051 West Washington Street.

BRIGGS FLAT PROJECT

The Briggs Flat Project is located in an area bounded by Lord Street on the north, East Street on the west, Fletcher Avenue on the south, and College Avenue on the east.

BROADWAY PK II PROJECT

The Broadway PK II Project is located in an area bounded by 19th Street on the north, Broadway Street on the west, 17th Street on the south and College Avenue on the east.

42ND & COLLEGE PROJECT

The 42nd & College Project is located on College Avenue between 40th Street and 44th Street and at 703, 707 and 817 East 42nd Street.

MIDTOWN SEWER PROJECT

The Midtown Sewer Project is located in the Near North Industrial Park Redevelopment Project Area and the Northwest Redevelopment Project Urban Renewal Area.

MEADOWS SHOPPING CENTER PROJECT

The Meadows Shopping Center Project is located in an area bounded by 42nd Street on the north, Millersville Road, Eastern Avenue to 39th Street and Temple Avenue to 38th Street on the west, 38th Street on the south and Meadows Drive on the east.

MASSACHUSETTS AVENUE BUILDING REHABILITATION PROJECT

Massachusetts Avenue Building Rehabilitation Project is located at 748 and 750 Massachusetts Avenue.

VIRGINIA AVENUE COMMERCIAL REVITALIZATION PROJECT

The Virginia Avenue Commercial Revitalization Project is located in an area bounded by Conrail East-West Line on the north, Alabama Street on the west, South Street on the south and East Street on the east.

BARRINGTON HEALTH CENTER PROJECT

The Barrington Health Center Project is located at 2612-2614 Bethel Avenue.

CONVENTION CENTER HOTEL PROJECT

The Convention Center Hotel Project is located in an area bounded by Washington Street on the north, Missouri Street on the west, Maryland Street on the south and Senate Avenue on the east.

UNION STATION PLAZA PROJECT

The Union Station Plaza Project is located in an area bounded by Georgia Street on the north, Capitol Avenue on the west, Louisiana Street on the south and Illinois Street on the east.

MISCELLANEOUS

Miscellaneous property acquisition and redevelopment activities will be carried on in the following redevelopment areas, the boundaries of which redevelopment areas are shown on maps maintained by the Department of Metropolitan Development, Division of Economic and Housing Development and which are available for public inspection during normal business hours at 148 East Market Street, Indianapolis, Indiana (two (2) copies of the maps are also on file in the office of the Clerk of the City-County Council for public inspection).

1. Northwest Redevelopment Project Urban Renewal Area;
2. Convention Center Hotel Project Area;
3. Union Station Center Urban Renewal Project Area;
4. Southeast Redevelopment Project Area;
5. P-K Area; and
6. Near North Industrial Park Redevelopment Project Area.

WHEREAS, the Commission, on March 22, 1985, adopted Resolution No. 111 (1985), authorizing the issuance of special taxing district bonds of the Indianapolis "Redevelopment District to be designated as "City of Indianapolis " in the aggregate principal amount of Forty-five Million Seven Hundred Fifty Thousand Dollars (\$45,750,000), for the purpose of procuring funds to be applied to the cost of property acquisition and redevelopment in blighted, deteriorated, or deteriorating areas of the Indianapolis Redevelopment District together with expenses incidental thereto and in connection with the issuance of the bonds, including, without limitation, the cost of acquisition of property, relocation, demolition, site preparation, utility construction and relocation or improvement, construction, repair and rehabilitation of parking facilities, public ways, parks, streets, sewers, pedestrian skyways and other

buildings and improvements, professional services, supervision and/or other redevelopment activities in one or more of the following areas, which areas were included in the petition filed with the Commission and which petition the Commission found to be sufficient and in compliance with I.C. 6-1.1-20-3:

1. Northwest Redevelopment Project Urban Renewal Area, which area includes the sites of the Canal Project, Lockefield Gardens Project, Midtown Housing Project, a part of the Midtown Sewer Project and various Miscellaneous Projects.
2. United States Fitness Center Urban Renewal Project Area which area includes the site of The United States Fitness Center Project.
3. Hispano--American Center Urban Renewal Project Area which area includes the site of the Hispanic American Center Project.
4. 2700 Place Urban Renewal Project Area which area includes the site of the 2700 Place Project.
5. Rural I-70 Industrial Park, Phase III Area which area includes the site of the Rural I-70 Industrial Park Project.
6. 38th and College Urban Renewal Project Area which area includes the site of the 38th and College Project.
7. Belmont Theatre Urban Renewal Project Area which area includes the site of the Belmont Theater Project.
8. 42nd and College Urban Renewal Project Area which area includes the site of the 42nd and College Project.
9. Meadows Shopping Center Revitalization Urban Renewal Project Area which area includes the site of the Meadows Shopping Center Project.
10. 748--750 Massachusetts Avenue Urban Renewal Project Area which area includes the site of the Massachusetts Avenue Building Rehabilitation Project.
11. Barrington Health Center Urban Renewal Project Area which area includes the site of the Barrington Health Center Project.
12. Near North Industrial Park Redevelopment Project Area which area includes the sites of a part of the Midtown Sewer Project and various Miscellaneous Projects.
13. PK-II Area which area includes the sites of the Broadway PK-II Project and various Miscellaneous Projects.
14. Southeast Redevelopment Project Area which area includes the sites of the Briggs Flat Project, the Virginia Avenue Commercial Revitalization Project and various Miscellaneous Projects.
15. Union Station Center Urban Renewal Project Area which area includes the sites of the Union Station Plaza Project and various Miscellaneous Projects.
16. Convention Center Hotel Project Area which area includes the sites of the Convention Center Hotel Project and various Miscellaneous Projects.

WHEREAS, the Commission has requested the approval of the City-County Council of the issuance of said special taxing district bonds pursuant to I.C. 36-3-5-8, and the City-County Council now finds that the issuance of said bonds should be approved; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council does hereby approve Resolution No. 111 (1985), of the Commission, the issuance of special taxing district bonds of the Redevelopment District, to be designated as "City of Indianapolis Redevelopment" in the aggregate principal amount of Forty-five Million Seven Hundred Fifty Thousand Dollars (\$45,750,000) and the expenditure of the proceeds of said bonds as set out in said resolution.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 155, 1985. This proposal is for a final bond ordinance authorizing the issuance of \$400,000 Economic Development Revenue Bonds for Central Mold Works, Inc. Councillor Schneider reviewed the project as the construction of a new 11,500 square foot facility on two acres to be used for manufacturing and office space just south of the Company's existing facility located at 2075 North Temple Avenue. Bond financing contains the following documents: Bond Purchase Agreement with Indiana National Bank, Loan Agreement, and Promissory Note. The interest rate will be 75% of INB's prime, and interest is payable monthly commencing May 1, 1985. The principal is payable at \$3,333.33 per month commencing September 1, 1985, to and including July 1, 1995, with a final payment on August 1, 1995. The Economic Development Committee on April 3, 1985, recommended Proposal No. 155, 1985, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 155, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Curry, Dowden, Giffin, Gilmer, Hawkins, Howard, Journey, McGrath, Miller, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

5 NOT VOTING: *Clark, Crowe, Durnil, Holmes, Nickell*

Proposal No. 155, 1985, was retitled SPECIAL ORDINANCE NO. 11, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 11, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond (Central Mold Works, Inc. Project)" in the principal amount of Four Hundred Thousand Dollars (\$400,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Central Mold Works, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on April 3, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Central Mold Works, Inc. (the "Company") consisting of the acquisition, construction, installation and equipping of a building containing approximately 11,500 square feet of manufacturing and office space and the machinery and equipment to be installed therein plus certain site improvements located at 2075 North Temple Avenue, Indianapolis, Indiana on approximately two acres of land which will be used for the manufacture of plastic injection molds (the "Project") which will be initially owned and operated by Central Mold Works, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Bond Purchase Agreement, Loan Agreement, Promissory Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond (Central Mold Works, Inc. Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement consisting of the acquisition, construction, installation and equipping of a building containing approximately 11,500 square feet of manufacturing and office space and the machinery and equipment to be installed therein plus certain site improvements located at 2075 North Temple Avenue, Indianapolis, Indiana on approximately two acres of land which will be used for the manufacture of plastic injection molds previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Central Mold Works, Inc. for the purposes of financing the economic development facilities being acquired, constructed, installed and equipped or to be acquired, constructed, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Central Mold Works, Inc. will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Bond Purchase Agreement, Loan Agreement, Promissory Note and the form of the City of Indianapolis Economic Development Revenue Bond (Central Mold Works, Inc. Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Bond Purchase Agreement, Loan Agreement, Promissory Note and the form of the City of Indianapolis Economic Development Revenue Bond (Central Mold Works, Inc. Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bond (Central Mold Works, Inc. Project) in the principal amount of Four Hundred Thousand Dollars (\$400,000) for the purpose of procuring funds to loan to Central Mold Works, Inc. in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Central Mold Works, Inc. on its

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Promissory Note in the principal amount of Four Hundred Thousand Dollars (\$400,000), which will be executed and delivered by Central Mold Works, Inc. to evidence and secure said loan, and as otherwise provided in the above described Bond Purchase Agreement and Loan Agreement. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bond to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest equal to seventy-five percent (75%) of the prime rate quoted and announced by The Indiana National Bank, Indianapolis, Indiana, at its principal office from time to time (the "Prime Rate"), and after payment of any principal installment is due, whether at maturity or by acceleration, at the rate per annum equal to the Prime Rate, except that (i) the interest rate thereon shall in no event exceed 30% per annum, (ii) in the event of a Determination of Taxability (as defined in the Loan Agreement) the Bond shall bear interest at the Taxable Rate (as defined in the Loan Agreement) and (iii) under certain circumstances the Bond shall bear interest at the Adjusted Tax Exempt Rate (as defined in the Loan Agreement).

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Bond Purchase Agreement, Loan Agreement, the City of Indianapolis, Indiana Economic Development Revenue Bond (Central Mold Works, Inc. Project), and the Endorsement to the Promissory Note approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Bond Purchase Agreement. The Mayor and City Clerk may by their execution of the Bond Purchase Agreement, Loan Agreement, the Endorsement to the Promissory Note and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in the Promissory Note without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Bond Purchase Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bond (Central Mold Works, Inc. Project) and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 156, 1985. This proposal is for a final bond ordinance authorizing the issuance of \$7,700,000 Economic Development Revenue Bonds (interim construction financing) for Masters Associates I, an Indiana Limited Partnership.

Councillor Schneider stated that the project is to construct multi-family residential rental housing (garden apartments) consisting of 224 units on approximately twenty-five acres of land located at 91st Street and Masters Road. Bond financing contains the following documents: Loan Agreement, Mortgage and Security Agreement, Trust Indenture (American Fletcher National Bank as Trustee), Guaranty Agreement, Land Use Restriction Agreement, and First Mortgage Note. The interest rate will be 9¼% and is payable monthly. The entire principal is due May 1, 1988. The Economic Development Committee on April 4, 1985, recommended Proposal No. 156, 1985, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 156, 1985, was adopted on the following roll call vote; viz:

22 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Curry, Giffin, Hawkins, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

NO NAYS

7 NOT VOTING: *Clark, Crowe, Dowden, Durnil, Gilmer, Holmes, Strader*

Proposal No. 156, 1985, was retitled SPECIAL ORDINANCE NO. 12, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 12, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (Masters Associates I Project)" in the aggregate principal amount of Seven Million Seven Hundred Thousand Dollars (\$7,700,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Masters Associates I and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on April 3, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the interim (construction) financing of certain economic development facilities to be developed by Masters Associates I, an Indiana limited partnership (the "Company") consisting of the acquisition, construction, installation and equipping of approximately 224 units of multi-family residential rental housing and the machinery and equipment to be installed therein plus certain site improvements located at 91st Street and Masters Road on the east side of Masters Road on approximately 25 acres of land (the "Project") which will be initially owned and operated by Masters Associates I, an Indiana limited partnership and managed by Charter Management Corp. complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Guaranty Agreement, Land Use Restriction Agreement, First Mortgage Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (Masters Associates I Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the interim (construction) financing of the economic development facilities referred to in the Loan Agreement, Mortgage and Security Agreement consisting of the acquisition, construction, installation and equipping of approximately 224 units of multifamily residential rental housing and the machinery and equipment to be installed therein plus certain site improvements to be located at 91st Street and Masters Road on the east side of Masters Road on approximately 25 acres of land previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Masters Associates I, an Indiana limited partnership for the purposes to provide interim (construction) financing the economic development facilities being acquired, constructed, installed and equipped or to be acquired, constructed, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Masters Associates I, an Indiana limited partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Guaranty Agreement, Land Use Restriction Agreement, First Mortgage Note and the form of the City of Indianapolis Economic Development Revenue Bonds (Masters Associates I Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Guaranty Agreement, Land Use Restriction Agreement, Promissory Notes and the form of the City of Indianapolis Economic Development Revenue Bonds (Masters Associates I Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds (Masters Associates I Project) in the aggregate principal amount of Seven Million Seven Hundred Thousand Dollars (\$7,700,000) for the purpose of procuring funds to loan to Masters Associates I, an Indiana limited partnership in order to provide interim (construction) financing the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Masters Associates I, an Indiana limited partnership on its First Mortgage Note in the principal amount of Seven Million Seven Hundred Thousand Dollars (\$7,700,000), which will be executed and delivered by Masters Associates I, an Indiana limited partnership to evidence and secure said loan, and as otherwise provided in the above described Trust Indenture, Guaranty Agreement and Land Use Restriction Agreement. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest equal to nine and one quarter percent (9¼%) or such other rate of interest as may be provided for in the Bonds provided, however, that in no event shall the per annum rate of interest charged exceed thirty percent (30%).

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Land Use Restriction Agreement, the City of Indianapolis, Indiana Economic Development Revenue Bonds (Masters Associates I Project), and the Endorsement to the First Mortgage Note approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Land Use Restriction Agreement, the Endorsements to the First Mortgage Note and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the First Mortgage Note and Guaranty Agreement without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds (Masters Associates I Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 158, 1985. This proposal is for a final bond ordinance authorizing the issuance of \$18,000,000 Economic Development Revenue Bonds (interim construction financing) for Sexton 1985 Carlton-I. Councillor Schneider clarified that Sexton 1985 Carlton-I is an Indiana Limited Partnership. He reviewed the project as construction financing only for a project consisting of forty-three individual apartment buildings containing approximately 702 multi-family residential rental units to be located on about 57 acres at 8300 Township Line Road. Bond financing contains the following documents: Loan Agreement, Mortgage and Security Agreement, Trust Indenture with American Fletcher National Bank, Land Use Restriction Agreement, and First Mortgage Note. The interest rate will be 75% of the daily adjusted prime rate of AFNB, and the interest rate is only payable monthly to and including February 1, 1988. The

principal and interest are due March 1, 1988. The Economic Development Committee on April 3, 1985, recommended Proposal No. 158, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 158, 1985, was adopted on the following roll call vote; viz:

21 AYES: *Borst, Boyd, Bradley, Campbell, Coughenour, Curry, Giffin, Hawkins, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

NO NAYS

8 NOT VOTING: *Clark, Cottingham, Crowe, Dowden, Durnil, Gilmer, Holmes, Strader*

Proposal No. 158, 1985, was retitled SPECIAL ORDINANCE NO. 13, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 13, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond (Sexton 1985 Carlton-I Project)" in the principal amount of Eighteen Million Dollars (\$18,000,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Sexton 1985 Carlton-I, an Indiana limited partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on April 3, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the interim (construction) financing of certain economic development facilities to be developed by Sexton 1985 Carlton-I, an Indiana limited partnership (the "Company") consisting of the acquisition, construction, installation and equipping of approximately 702 units of multifamily residential rental housing totaling 578,442 gross square feet (529,410 net rentable square feet) contained in 43 individual buildings and the machinery and equipment to be installed therein plus certain site improvements to be located at 8300 Township Line Road on approximately 57.248 acres of land (the "which will be initially owned and operated by Sexton 1985 Carlton-I, an Indiana limited partnership complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Land Use Restriction Agreement, Promissory Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (Sexton 1985 Carlton-I Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the interim (construction) financing of the additional economic development facilities referred to in the Loan Agreement consisting of the acquisition, construction, installation and equipping of approximately 702 units of multifamily residential rental housing and the machinery and equipment to be installed therein plus certain site improvements to be located at 8300 Township Line Road on approximately 57.248 acres of land previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Sexton 1985 Carlton-I, an Indiana limited partnership for the purposes to provide interim (construction) financing the economic development facilities being acquired, constructed, installed and equipped or to be acquired, constructed, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Sexton 1985 Carlton-I, an Indiana limited partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-1.2.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Land Use Restriction Agreement, First Mortgage Note and the form of the City of Indianapolis Economic Development Revenue Bonds (Sexton 1985 Carlton-I Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Land Use Restriction Agreement, First Mortgage Note and the form of the City of Indianapolis Economic Development Revenue Bonds (Sexton 1985 Carlton-I Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds (Sexton 1985 Carlton-I Project) in the aggregate principal amount of Eighteen Million Dollars (\$18,000,000) for the purpose of procuring funds to loan to Sexton 1985 Carlton-I, an Indiana limited partnership in order to provide interim (construction) financing the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Sexton 1985 Carlton-I, an Indiana limited partnership on its First Mortgage Note in the principal amount of Eighteen Million Dollars (\$18,000,000), which will be executed and delivered by Sexton 1985 Carlton-I, an Indiana limited partnership to evidence and secure said loan, and as otherwise provided in the above described Trust Indenture and Land Use Restriction Agreement. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest equal to seventy-five percent (75%) of the daily adjusted prime rate of American Fletcher National Bank and Trust Company, Indianapolis, Indiana, as announced from time to time, except that (i) the interest rate thereon shall in no event exceed 30% per annum, (ii) in the event of a Determination of Taxability (as defined in the Loan Agreement) the Bonds shall bear interest at the Taxable Rate (as defined in the Loan Agreement), (iii) under certain circumstances the Bonds shall bear interest at the Adjusted Tax Exempt Rate (as defined in the Loan Agreement, and (iv) upon late payment or other default under the Trust Indenture interest shall be payable at a rate equal to 2% per annum above the otherwise applicable rate.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Land Use Restriction Agreement, the City of Indianapolis, Indiana Economic Development Revenue Bonds (Sexton 1985 Carlton-I Project), and the Endorsement to the First Mortgage Note approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Land Use Restriction Agreement, the Endorsement to the First Mortgage Note and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the First Mortgage Note without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds (Sexton 1985 Carlton-I Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 159, 1985. This proposal is for an inducement resolution authorizing interim (construction) financing for Masters Associates II, an Indiana Limited Partnership to be formed in an approximate amount of \$7,000,000. Councillor Schneider described the project as the construction of 176 units of multi-family residential rental housing on approximately 17.1 acres at 91st Street and Masters Road on the east side of Masters Road (Phase II of the project). Estimated costs for the \$6,731,000 project are as follows: \$550,000 land, \$5,100,000 building, \$315,000 finance fees and construction interest, and \$866,000 miscellaneous expenditures. The estimated number of additional employment positions at the end of one and three years total six full-time jobs and fifteen to twenty part-time jobs with \$71,500 and \$59,000 respectively in additional payroll to the community. The Economic Development Committee on April 3, 1985, recommended Proposal No. 159, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Journey for adoption. Proposal No. 159, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Curry, Giffin, Gilmer, Hawkins, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

4 NOT VOTING: Crowe, Dowden, Durnil, Holmes

Proposal No. 159, 1985, was retitled SPECIAL RESOLUTION NO. 33, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 33, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Masters Associates II, an Indiana Limited Partnership to be formed (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to provide interim (construction) financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of approximately 176 units of multifamily residential rental housing and the machinery and equipment to be installed therein plus certain site improvements to be located at 91st Street and Masters Road on the east side of Masters Road on approximately 17.1 acres of land, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 6 full time and 15 to 20 part-time at the end of one year and at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the interim (construction) financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Seven Million Dollars (\$7,000,000) under the Act to be privately placed to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Masters Associates II, an Indiana limited partnership to be formed (the "Company") or the loaning of the proceeds of such interim (construction) financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid interim (construction) financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires November 30, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 160, 1985. This proposal is for an inducement resolution authorizing interim (construction) financing for Joseph F. Sexton, or limited partnership(s) of which Joseph F. Sexton or corporations controlled by him is

or are the general partner, or corporations controlled by Joseph F. Sexton in an approximate amount of \$23,450,000. Councillor Schneider reported that the project is to construct 660 units of multi-family residential rental housing in the 2000 block of North High School Road on approximately fifty-five acres. The project will be developed in two phases. Phase I involves the construction of fifteen buildings containing a total of 185,658 gross square feet (214 units). Phase II involves the construction of thirty-one buildings containing a total of 386,932 square feet (446 units). Rental rates should range from \$290 to \$480. The estimated number of additional employment positions at the end of one year total fifteen full-time jobs with \$230,000 in additional payroll to the community. The three-year job estimate is fourteen positions with \$290,000 in additional payroll. Councillor Schneider explained that a portion of the project is located within the boundary of the City of Speedway; therefore, the Town Board of Speedway must give their consent to this project before the bonds may actually be issued. The Economic Development Committee on April 3, 1985, recommended Proposal No. 160, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 160, 1985, was adopted on the following roll call vote; viz:

24 AYES: Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Curry, Giffin, Gilmer, Hawkins, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

5 NOT VOTING: Cottingham, Crowe, Dowden, Durnil, Holmes

Proposal No. 160, 1985, was retitled SPECIAL RESOLUTION NO. 34, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 34, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Joseph F. Sexton, corporations controlled by Joseph F. Sexton, or limited partnership(s) of which Joseph F. Sexton or corporation(s) controlled by him is or are the general partner (the "Company") has advised the Indianapolis Economic

Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to provide interim (construction) financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of approximately 660 units of multifamily residential rental housing which will be developed in two phases with phase one having 15 individual buildings having a total gross building area of approximately 185,658 square feet and phase two having 31 individual buildings having a total gross building area of approximately 386,932 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located in the 2000 block of North High School Road on approximately 55 acres of land, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 15 at the end of one year and at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the interim (construction) financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Twenty-three Million Four Hundred Fifty Thousand Dollars (\$23,450,000) under the Act to be privately placed and subject to the consent of the fiscal body of the Town of Speedway, Indiana being given pursuant to I.C. 36-7-12-22 to the financing by the City of Indianapolis of that portion of the Project which is located within the corporate boundaries of the Town of Speedway, Indiana, to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Joseph F. Sexton, corporations controlled by Joseph F. Sexton, or limited partnership(s) of which Joseph F. Sexton or corporation(s) controlled by him is or are the general partner (the "Company") or the loaning of the proceeds of such interim (construction) financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid interim (construction) financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires November 30, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 163, 1985. This proposal is an inducement resolution amending Special Resolution No. 83, 1981, to increase the dollar amount of the inducement resolution from \$5,810,000 to \$6,800,000 for Meridian Partners, modify the applicant description and certain equity requirements. Councillor Schneider reviewed the project as the purchase and renovation of three contiguous buildings on South Meridian Street located on the southeast corner of South Meridian and Georgia Streets. Councillor Schneider outlined the amendments listed accordingly. Mr. Jack Lee and Knoxville Associates are added as developers in addition to the previous description of Stewart Bainum as general partner in Meridian Partners. Mr. Bainum is Chairman of the Board and principal stockholder of Manor Care, Inc. which owns Quality Inns. Also, the original inducement resolution (approved in 1981) required 15% equity. This requirement was common among projects which were more speculative in the downtown area.

Since that time, the language regarding 15% equity has been removed from the inducement resolutions and usually a private placement restriction is imposed instead. One other amendment is to add the expiration date of November 30, 1985. The Economic Development Committee on April 3, 1985, recommended Proposal No. 163, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 163, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Curry, Giffin, Gilmer, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

5 NOT VOTING: *Crowe, Dowden, Durnil, Hawkins, Holmes*

Proposal No. 163, 1985, was retitled SPECIAL RESOLUTION NO. 35, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 35, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, in 1981 Meridian Partners, a limited partnership, or another entity in which Stewart Bainum will be a general partner (the "Original Company") heretofore advised the Indianapolis Economic Development Commission (the "Commission") and the City that it proposed that the City either acquire, renovate and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, renovation and equipping of a building located at 201 South Meridian Street containing approximately 30,000 square feet located on approximately 8,000 square feet of land, a building located at 207 South Meridian Street containing approximately 36,000 square feet located on approximately 6,000 square feet of land, and a building located at 211-213 South Meridian Street containing approximately 60,000 square feet located on approximately 12,000 square feet of land, Indianapolis, Indiana for the purpose of commercially leasing units in such building to various users (the "Project"); and

WHEREAS, the City and the Commission have heretofore found that the diversification of industry and increase in job opportunities (approximately 6 additional jobs at the end of one year and 6 additional jobs at the end of three years) plus the creation of approximately 30 temporary construction jobs in Indianapolis to be achieved by the acquisition, renovation, equipping and leasing of the Project will be of public benefit to

the health, safety and general welfare of the City of Indianapolis and its citizens and will not have an adverse competitive effect on any similar facility already constructed or operating in or about Indianapolis, Indiana; and

WHEREAS, the City and the Commission have heretofore adopted inducement resolutions (Special Resolution No. 83, 1981 and a resolution dated October 23, 1981) with respect to the Project for the benefit of the Company; and

WHEREAS, the Company and a new potential developer of the Project have currently requested an increased dollar amount to cover increased Project costs and have requested removal of certain equity requirements; and

WHEREAS, the Company and the new potential developer have requested that Special Resolution No. 83, 1981 remain in full force and effect in all respects, except as modified and clarified hereby; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis Economic Development Commission finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis; and that it is in the public interest that the Indianapolis Economic Development Commission (the "Commission") and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") under the Act in an increased amount of approximately \$6,800,000, which may be 100% of the total cost of the Project, to be privately placed and the Project to be designated as an Urban Development Area for the acquisition, renovation and equipping of the Project and the sale or leasing of the Project to Meridian Partners, a limited partnership, or another entity in which Stewart Bainum will be a general partner or another entity in which Jack Lee or Knoxville Associates, Inc. or an entity which they control will be a general partner (collectively the "Company") or the loaning of the proceeds of such financing to the Company for such purposes and the leasing of the Project to various users will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to extend the inducement to the Company to continue with the acquisition, renovation, equipping and leasing of the Project through November 30, 1985, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during the calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that

inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires November 30, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of Special Resolution No. 83, 1981, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This clarifying resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14 and Special Resolution No. 83, 1981 shall remain in full force and effect in all respects, except as modified and clarified by this Special Resolution.

PROPOSAL NO. 164, 1985. This proposal is for an inducement resolution amending Special Resolution No. 106, 1984, for Cambridge Group, Inc. (amends project description). Councillor Schneider reviewed the project which was previously approved as the construction of a 120 bed skilled and intermediate care 65,000 square foot nursing facility at the southwest corner of 86th Street and Township Line Road on thirty-eight acres. The amendment is to add thirty-eight beds and to increase the building's size by 8,000 square feet. The Economic Development Committee on April 3, 1985, recommended Proposal No. 164, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 164, 1985, was adopted on the following roll call vote; viz:

24 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Curry, Dowden, Giffin, Gilmer, Hawkins, Howard, Journey, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

5 NOT VOTING: Crowe, Durnil, Holmes, McGrath, Schneider

Proposal No. 164, 1985, was retitled SPECIAL RESOLUTION NO. 36, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 36, 1985

A SPECIAL RESOLUTION amending previously adopted City-County Special Resolution No. 106, 1984 to amend the description of the Project and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Cambridge Group, Inc. (the "Company") has previously advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a building containing approximately 65,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at the southwest corner of the intersection of 86th Street and Township Line Road, Indianapolis, Indiana on approximately 38.0 acres of land which will be used as an approximately 120 bed skilled and intermediate care nursing home (the "Project"); and

WHEREAS, the City-County Council on December 10, 1984 adopted Special Resolution No. 106, 1984 concerning the Project; and

WHEREAS, subsequent to the adoption of Special Resolution No. 106, 1984, the project engineer recommended that the building be relocated and slightly reconfigured to minimize the impact of a floodway which passes through the project site; in accordance with the project engineer's recommendation, the project architect revised the plans for the building; in doing so, the project architect increased the size of the proposed building by approximately 8,000 square feet and the bed capacity by 38 beds so that the building will now contain approximately 73,000 square feet and 158 skilled and intermediate care beds (the "Revised Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 46 at the end of one year and 92 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Revised Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Revised Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Eight Million Dollars (\$8,000,000) under the Act for the acquisition, construction, installation and equipping of the Revised Project and the sale or leasing of the Revised Project to Cambridge Group, Inc. (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to continue with the acquisition, construction, installation and equipping of the Revised Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Revised Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires November 30, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Revised Project incurred after the passage of City-County Special Resolution No. 106, 1984, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Revised Project, and the City will thereafter see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 165, 1985. This proposal is for an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 84, 1984 (inducement resolution for Central Indiana Supply Company, Inc.). Councillor Schneider stated that the amendment is to extend the expiration date from April 30, 1985, to November 30, 1985. The project is to acquire 6.5 acres and construct a 30,000 square foot warehouse and to remodel an existing building containing 15,000 square feet at 3340 Shelby Street. The Economic Development Committee on April 3, 1985, recommended Proposal No. 165, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 165, 1985, was adopted on the following roll call vote; viz:

28 AYES *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

1 NOT VOTING: *Durnil*

Proposal No. 165, 1985, was retitled SPECIAL RESOLUTION NO. 37, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 37, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 84, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 84, 1984 has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Central Indiana Supply Company, Inc. (the "Company") which Special Resolution contained an expiration date of April 30, 1985 unless the economic development revenue bonds for the Project "... have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of [the] inducement resolution."; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the expiration date of the previously adopted Special Resolution No. 84, 1984; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 84, 1984 is hereby amended by deleting the expiration date of April 30, 1985 contained in Section 3 thereof and replacing said date with the date of November 30, 1985.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 84, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 166, 1985. This proposal is for an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 85, 1984 (inducement resolution for South Meridian Redevelopment Group). Councillor Schneider stated that the amendment is to extend the expiration date from April 30, 1985, to November 30, 1985. The project is to: 1) renovate a three-story 22,000 square foot building located at 364, 366 and 368 South Meridian Street; 2) purchase a site at 344 South Meridian Street for parking; and 3) construct an additional 8,000 square feet of rental space at an existing building. The Economic Development Committee on April 3, 1985, recommended Proposal No. 166, 1985, Do Pass by a vote of 7-0. Councillor

Schneider moved, seconded by Councillor Howard for adoption. Proposal No. 166, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Durnil

Proposal No. 166, 1985, was retitled SPECIAL RESOLUTION NO. 38, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 38, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 85, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 85, 1984 has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by South Meridian Redevelopment Group (the "Company") which Special Resolution contained an expiration date of April 30, 1985 unless the economic development revenue bonds for the Project "... have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of [the] inducement resolution."; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the expiration date of the previously adopted Special Resolution No. 85, 1984; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 85, 1984 is hereby amended by deleting the expiration date of April 30, 1985 contained in Section 3 thereof and replacing said date with the date of November 30, 1985.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 85, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 167, 1985. This proposal is for an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 88, 1984 (inducement resolution for Clark-Knoxville-Clark Associates, Ltd.). Councillor Schneider explained that the amendment is to extend the expiration date from April 30, 1985, to July 31, 1985. The project is to renovate a currently vacant facility located at 333 North Alabama Street (former Sears facility) as office space for rental to the general public (60% of space) and for use as a grocery store (40% of space). Councillor Schneider added that there should be a decision within the next thirty to sixty days to determine if the project will be financed with conventional means or by bond proceeds. In addition, there has been some discussion regarding expanding the scope of the project. If this occurs, the project cannot stay within the capital expenditure limitation for bond proceeds, and the Company will merely allow the resolution to expire. The Economic Development Committee on April 3, 1985, recommended Proposal No. 167, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 167, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Durnil

Proposal No. 167, 1985, was retitled **SPECIAL RESOLUTION NO. 39, 1985**, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 39, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 88, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 88, 1984 has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Clark-Knoxville-Clark Associates, Ltd. (the "Company") which Special Resolution contained an expiration date of April 30, 1985 unless the economic development revenue bonds for the Project "... have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of [the] inducement resolution."; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the expiration date of the previously adopted Special Resolution No. 88, 1984; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 88, 1984 is hereby amended by deleting the expiration date of April 30, 1985 contained in Section 3 thereof and replacing said date with the date of July 31, 1985.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 88, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 174-181, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on April 4, 1985". No action was taken on Proposal Nos. 174-181, 1985 by the Council; and the proposals were deemed adopted. Proposal Nos. 174-181, 1985, were retitled REZONING ORDINANCE NOS. 38-45, 1985, and read as follows:

**REZONING ORDINANCE NO. 38, 1985 84-Z-205 AMENDED PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
3901 SOUTH MERIDIAN STREET, INDIANAPOLIS**
Davis Industries, Inc., requests the rezoning of 8.79 acres, being in the SU-1 district, to the D-4 classification, to provide for the construction of single-family residential use by platting.

REZONING ORDINANCE NO. 39, 1985 84-Z-206 AMENDED PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20
301 EAST HANNA AVENUE, INDIANAPOLIS
Davis Industries, Inc., requests the rezoning of approximately 11.39 acres, being in the A-2 district, to the D-6 II classification, to provide for the construction of multi-family units and condominiums.

REZONING ORDINANCE NO. 40, 1985 85-Z-12 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
3239 TANSEL ROAD, CLERMONT, INDIANA
James H. Leeper and Mary P. Leeper, by Alex L. Rogers, request the rezoning of 1.90 acres, being in the D-6 II district, to the SU-9 classification, to provide for the construction of the Clermont Branch of the U.S. Postal Services.

REZONING ORDINANCE NO. 41, 1985 85-Z-19 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 15
1401 NORTH CAMPBELL AVENUE, INDIANAPOLIS
Thomas U. Grinslade requests the rezoning of 1.2 acres, being in the D-7 district, to the C-1 classification, to provide for the construction of an 8280 square foot office building.

REZONING ORDINANCE NO. 42, 1985 85-Z-21 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
8041 CRAWFORDSVILLE ROAD, INDIANAPOLIS
Joseph H. Thorn and Trudy Thorn, by Alex L. Rogers, request the rezoning of 1.82 acres, being in the A-2 district, to the C-3 classification, to conform zoning to its use as a specialty craft and pottery retail sales and studio.

REZONING ORDINANCE NO. 43, 1985 85-Z-26 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
4201 NORTH POST ROAD, INDIANAPOLIS
L.O.R., Inc., by Gordon Harper, requests the rezoning of 1.01 acres, being in the D-7 district, to the C-3 classification, to provide for the construction of a neighborhood shopping center.

REZONING ORDINANCE NO. 44, 1985 85-Z-28 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20
4002 OTTERBEIN AVENUE, INDIANAPOLIS
University Heights United Methodist Church, by Stephen M. Maple, requests the rezoning of 0.92 acre, being in the D-4 district, to the SU-1 classification, to conform zoning to its use as a church and to construct a playground.

REZONING ORDINANCE NO. 45, 1985 85-Z-29 AMENDED PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
2525 WEST 86TH STREET, INDIANAPOLIS
Cambridge Group requests the rezoning of 38.04 acres, being in the SU-2 and HD-II districts, to the HD-II classification, to provide for the construction of a retirement community consisting of three three-story buildings containing a total of 360 apartment units and a three-story nursing facility containing 158 beds.

SPECIAL ORDERS - PUBLIC HEARING

[Clerk's Note: Due to the absence of Councillor Durnil, Councillor Rhodes presented the Committee report for the Parks and Recreation Committee.]

PROPOSAL NO. 95, 1985. This proposal appropriates \$360,000 for the Administration Division, Department of Parks and Recreation to improve park facilities at various locations. Councillor Rhodes explained that these funds would be used for projects all over Marion County that are too small for a major bond issue yet too large to be included in the budget of the Parks Department. The Committee amended Proposal No. 95, 1985, by increasing the amount from \$360,000 to \$390,000 and from the City Cumulative Development Fund to the County Cumulative Development Fund. The increase occurred due to the County Cumulative Development Fund being a larger taxing district. The Parks and Recreation Committee on April 11, 1985, recommended Proposal No. 95, 1985, Do Pass As Amended by a vote of 5-0. The President called for public testimony at 8:41 p.m. There being no one present to testify Councillor Rhodes moved, seconded by Councillor Journey for adoption. Proposal No. 95, 1985, as amended, was adopted on the following roll call vote; viz:

21 AYES: *Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Gilmer, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, West*

1 NAY: *Curry*

7 NOT VOTING: *Borst, Dowden, Durnil, Giffin, Hawkins, Schneider, Strader*

Proposal No. 95, 1985, as amended, was retitled FISCAL ORDINANCE NO. 28, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 28, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Three Hundred Ninety Thousand Dollars (\$390,000) in the County Cumulative Capital Development Fund for purposes of the Department of Parks and Recreation, Administration Division and reducing the unappropriated and unencumbered balance in the County Cumulative Capital Development Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds to improve park facilities and lands at various locations.

SECTION 2. The sum of Three Hundred Ninety Thousand Dollars (\$390,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PARKS & RECREATION	COUNTY CUMULATIVE CAPITAL DEV. FUND
ADMINISTRATION DIVISION	
3. Other Services & Charges	<u>\$390,000</u>
TOTAL INCREASE	<u>\$390,000</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF PARKS & RECREATION	COUNTY CUMULATIVE CAPITAL DEV. FUND
ADMINISTRATION DIVISION	
Unappropriated and Unencumbered	
County Cumulative Capital Dev. Fund	<u>\$390,000</u>
TOTAL REDUCTION	<u>\$390,000</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 99, 1985. This proposal appropriates \$390,000 for the Office of the Director, Department of Public Works for engineering expenses for sanitary sewer construction projects. Councillor West stated that Proposal No. 99, was amended in Committee from \$390,000 to \$360,000 and from the County Cumulative Development Fund to the City Cumulative Development Fund. The Department of Public Works would not legally be able to build certain drainage projects if the funds were received from the County Cumulative Development Fund. The decrease is due to the City Cumulative Development Fund being a smaller taxing district thereby raising \$30,000 less by a 1 cents tax rate than the County Cumulative Development Fund. These funds will be spent in the Bailey Highlands Area and thereby lowering the cost of installing sewers to approximately \$2,620 per household. The Public Works Committee on April 4, 1985, recommended Proposal No. 99, 1985, Do Pass As Amended by a vote of 3-0-2. The President called for public testimony at 8:46 p.m. There being no one present to testify Councillor West moved, seconded by Councillor Coughenour for adoption. Proposal No. 909, 1985, as amended, was adopted on the following roll call vote; viz:

21 AYES: Bradley, Cottingham, Coughenour, Crowe, Dowden, Giffin, Gilmer, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West

1 NAY: Curry

7 NOT VOTING: Borst, Boyd, Campbell, Clark, Durnil, Hawkins, Schneider

Proposal No. 99, 1985, as amended, was retitled FISCAL ORDINANCE NO. 29, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 29, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Three Hundred Sixty Thousand Dollars (\$360,000) in the City Cumulative Capital Development Fund for purposes of the Department of Public Works, Office of the Director and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for engineering expenses for sanitary sewer construction projects.

SECTION 2. The sum of Three Hundred Sixty Thousand Dollars (\$360,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE DIRECTOR

3. Other Services & Charges

TOTAL INCREASE

CITY CUMULATIVE CAPITAL DEV. FUND

\$360,000

\$360,000

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE DIRECTOR

Unappropriated and Unencumbered

City Cumulative Capital Dev. Fund

TOTAL REDUCTION

CITY CUMULATIVE CAPITAL DEV. FUND

\$360,000

\$360,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 100, 1985. This proposal appropriates \$780,000 for the Flood Control Division for the design phase of various projects to be completed prior to the issuance and sale of a bond issue. Councillor West outlined the expenditures as follows: \$100,000 on Regulated Drains; \$340,000 in conjunction with new sanitary sewers and on Local Neighborhood Situations; \$60,000 for the engineering/acquisition/construction of 36th Street and Auburn; \$60,000 for the

engineering/acquisition of Wetnight Ditch and \$160,000 for the engineering/acquisition of Haverstick Creek. The Committee amended Proposal No. 100, from \$780,000 to \$720,000 again changing the fund to the City Cumulative Development Fund which is a smaller taxing district. The Public Works Committee on April 4, 1985, recommended Proposal No. 100, 1985, Do Pass As Amended by a vote of 4-0. The President called for public testimony at 8:48 p.m. There being no one present to testify Councillor West moved, seconded by Councillor Gilmer for adoption. Proposal No. 100, 1985, as amended, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Durnil

Proposal No. 100, 1985, as amended, was retitled FISCAL ORDINANCE NO. 30, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 30, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Seven Hundred Twenty Thousand Dollars (\$720,000) in the City Cumulative Capital Development Fund for purposes of the Department of Public Works, Flood Control Division and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for the design of projects which must be completed prior to the issuance and sale of a bond issue.

SECTION 2. The sum of Seven Hundred Twenty Thousand Dollars (\$720,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PUBLIC WORKS

FLOOD CONTROL DIVISION

3. Other Services & Charges

TOTAL INCREASE

CITY CUMULATIVE CAPITAL DEV. FUND

\$720,000

\$720,000

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF PUBLIC WORKS

FLOOD CONTROL DIVISION

CITY CUMULATIVE CAPITAL DEV. FUND

Unappropriated and Unencumbered

City Cumulative Capital Dev. Fund

\$720,000

TOTAL REDUCTION

\$720,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 101, 1985. This proposal appropriates \$720,000 for the Department of Transportation for the repair and replacement of bridges and widening of street intersections. Councillor Gilmer explained that the Committee had amended Proposal No. 101, from \$720,000 to \$780,000 and from the City Cumulative Development Fund to the County Cumulative Development Fund, which is a larger taxing district. The Transportation Committee on April 10, 1985, recommended Proposal No. 101, 1985, Do Pass As Amended by a vote of 7-0. The President called for public testimony at 8:49 p.m. There being no one present to testify Councillor Gilmer moved, seconded by Councillor Rader for adoption. Proposal No. 101, 1985, as amended, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, West*

NO NAYS

4 NOT VOTING: *Clark, Durnil, Schneider, Strader*

Proposal No. 101, 1985, as amended, was retitled **FISCAL ORDINANCE NO. 31, 1985**, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 31, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Seven Hundred Eighty Thousand Dollars (\$780,000) in the County Cumulative Capital Development Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the County Cumulative Capital Development Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for the repair or replacement of bridges and widening of street intersections.

SECTION 2. The sum of Seven Hundred Eighty Thousand Dollars (\$780,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:
DEPARTMENT OF TRANSPORTATION

	COUNTY CUMULATIVE CAPITAL DEV. FUND
3. Other Services & Charges	<u>\$780,000</u>
TOTAL INCREASE	\$780,000

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF TRANSPORTATION

	COUNTY CUMULATIVE CAPITAL DEV. FUND
Unappropriated and Unencumbered	
County Cumulative Capital Dev. Fund	<u>\$780,000</u>
TOTAL REDUCTION	\$780,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 132, 1985. This proposal appropriates \$703,580 for the Central Equipment Management Division to acquire replacement vehicles for the Department of Transportation. Councillor Coughenour explained that these funds will lease/purchase 32 single-axle trucks and 7 S-10 pickup trucks which are all replacement vehicles. Proposal No. 132, also includes funds to lease/purchase 32 dual-axle trucks which are additional pieces of equipment. The Administration Committee on April 8, 1985, recommended Proposal No. 132, 1985, Do Pass by a vote of 5-0-1. The President called for public testimony at 8:51 p.m. There being no one present to testify Councillor Coughenour moved, seconded by Councillor Holmes for adoption. Proposal No. 132, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

3 NOT VOTING: Crowe, Curry, Durnil

Proposal No. 132, 1985, was retitled FISCAL ORDINANCE NO. 32, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 32, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Seven Hundred Three Thousand Five Hundred Eighty Dollars (\$703,580) in the Consolidated County Fund for purposes of the Department of Administration, Central Equipment Management Division and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds to acquire replacement vehicles for the Department of Transportation.

SECTION 2. The sum of Seven Hundred Three Thousand Five Hundred Eight Dollars (\$703,580) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:
DEPARTMENT OF ADMINISTRATION
CENTRAL EQUIPMENT MANAGEMENT DIV.

4. Capital Outlay
TOTAL INCREASE

CONSOLIDATED COUNTY FUND
\$703,580
\$703,580

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF ADMINISTRATION
CENTRAL EQUIPMENT MANAGEMENT DIV.

Unappropriated and Unencumbered
Consolidated County Fund
TOTAL REDUCTION

CONSOLIDATED COUNTY FUND
\$703,580
\$703,580

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 135, 1985. This proposal appropriates \$650,000 for the Parks Department, Administration Division to upgrade existing facilities. Councillor Rhodes stated that the locations of the projects included in Proposal No. 135 are Dubarry Park, Northwestway Park, Eagle Creek Park (42nd and St. Marina), Eagle Creek Bicycle Trail, Major Taylor Velodrome and the Coffin Golf Course.

The Committee amended Proposal No. 135, to reduce the amount of the appropriation from \$650,000 to \$553,000 because the funds are not needed for construction of storage and office space at this time. The Parks and Recreation Committee on April 11, 1985, recommended Proposal No. 135, 1985, Do Pass As Amended by a vote of 5-0. The President called for public testimony at 8:54 p.m. There being no one present to testify Councillor Rhodes moved, seconded by Councillor Journey for adoption. Proposal No. 135, 1985, as amended, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Coughenour, Crowe, Curry, Dowden, Giffin, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Clark, Cottingham, Durnil, Gilmer*

Proposal No. 135, 1985, as amended, was retitled FISCAL ORDINANCE NO. 33, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 33, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Five Hundred Fifty-three Thousand Dollars (\$553,000) in the Park Land Fund for purposes of the Department of Parks and Recreation, Administration Division and reducing the unappropriated and unencumbered balance in the Park Land Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds to develop and expand recreational opportunities and to enhance and upgrade existing facilities.

SECTION 2. The sum of Five Hundred Fifty-three Thousand Dollars (\$553,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PARKS AND RECREATION
ADMINISTRATION

4. Capital Outlay

TOTAL INCREASE

PARK LAND FUND

\$553,000

\$553,000

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF PARKS AND RECREATION
ADMINISTRATION

Unappropriated and Unencumbered

Park Land Fund

TOTAL REDUCTION

PARK LAND FUND

\$553,000

\$553,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 137, 1985. This proposal appropriates \$12,000 for the Community Corrections Advisory Board to purchase equipment. Councillor Dowden stated that the equipment to be purchased includes a personal computer with software and printer, used phone computer, phone recorder and supplies. The funds are available from user fees generated from offender contributions from the residential component. The Public Safety and Criminal Justice Committee on March 27, 1985, recommended Proposal No. 137, 1985, Do Pass by a vote of 5-0. The President called for public testimony at 8:55 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Rhodes for adoption. Proposal No. 137, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Bradley, Durnil

Proposal No. 137, 1985, was retitled FISCAL ORDINANCE NO. 34, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 34, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twelve Thousand Dollars (\$12,000) in the State and Federal Grant Fund for purposes of the Marion County Community Corrections Advisory Board and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(25) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds to purchase equipment. The revenue has been collected from offenders' payments for subsistence.

SECTION 2. The sum of Twelve Thousand Dollars (\$12,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:
COMMUNITY CORRECTIONS ADVISORY BD.

	STATE AND FEDERAL GRANT FUND
34. Equipment	<u>\$12,000</u>
TOTAL INCREASE	\$12,000

SECTION 4. The said additional appropriations are funded by the following reductions:

	STATE AND FEDERAL GRANT FUND
Unappropriated and Unencumbered	
State and Federal Grant Fund	<u>\$12,000</u>
TOTAL REDUCTION	\$12,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 139, 1985. This proposal appropriates \$851,080 for the Department of Transportation to purchase snow removal equipment. Councillor Gilmer outlined the equipment to be purchased as 32 single-axle trucks, 7 S-10 pickup trucks and 32 dual-axle trucks. This also includes \$150,000 for the purchase of the lease of the Castleton Garage. The Committee amended Proposal No. 139, from \$851,080 to \$675,000 because some of the equipment will not be delivered in this calendar year. The Transportation Committee on April 10, 1985, recommended Proposal No. 139, 1985, Do Pass As Amended by a vote of 7-0. The President called for public testimony at 8:57 p.m. There being no one present to testify Councillor Gilmer moved, seconded by Councillor Rader for adoption. Proposal No. 139, 1985, as amended, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Stewart, Strader, West

NO NAYS

4 NOT VOTING: Curry, Durnil, Schneider, Shaw

Proposal No. 139, 1985, as amended, was retitled FISCAL ORDINANCE NO. 35, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 35, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Six Hundred Seventy-five Thousand Nine Hundred Thirty-three Dollars (\$675,933) in the Transportation General Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation General Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds to purchase snow removal equipment.

SECTION 2. The sum of Six Hundred Seventy-five Thousand Nine Hundred Thirty-three Dollars (\$675,933) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:
DEPARTMENT OF TRANSPORTATION

	TRANSPORTATION GENERAL FUND
3. Other Services & Charges	\$525,933
4. Capital Outlay	<u>150,000</u>
TOTAL INCREASE	\$675,933

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF TRANSPORTATION	TRANSPORTATION	GENERAL
FUND		FUND
Unappropriated and Unencumbered		
Transportation General Fund		<u>\$675,933</u>
TOTAL REDUCTION		\$675,933

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 108, 1985. This proposal authorizes changes in the personnel compensation schedule for the Marion County Guardian Home. Councillor Stewart explained that Proposal No. 108, transfers funds within the budget to allow certain employees making less than \$10,000 a year an additional increase.

The Committee amended Proposal No. 108 by eliminating the Vacancy Factor which involved transferring funds from Group Insurance. The Community Affairs Committee on April 11, 1985, recommended Proposal No. 108, 1985, Do Pass As Amended by a vote of 6-0. Councillor Stewart moved, seconded by Councillor Journey for adoption. Proposal No. 108, 1985, as amended, was adopted on the following roll call vote; viz:

23 AYES: Borst, Boyd, Campbell, Clark, Cottingham, Coughenour, Curry, Dowden, Giffin, Gilmer, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Schneider, SerVaas, Stewart, Strader, West
NO NAYS

6 NOT VOTING: Bradley, Crowe, Durnil, Hawkins, Rhodes, Shaw

Proposal No. 108, 1985, as amended, was retitled FISCAL ORDINANCE NO. 36, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 36, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 3.02) of the Marion County Guardian Home.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 3.02 of City-County Fiscal Ordinance No. 65, 1984, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

MARION COUNTY GUARDIAN HOME - Dept. 85

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Administrative Personnel	4	30,800	79,875
Professional Staff	8	16,245	106,250
Maintenance & Food Staff	13	14,010	134,529 136,129
Clerical	2	12,327	23,719
Attendants	25	12,425	240,865 243,765
Group Insurance			40,116 35,816
FICA			41,273
Pension			35,126
Unemployment			3,120
Workman's Comp			<u>2,260</u>
TOTAL	52		707,333

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 134, 1985. This proposal approves the disposal of property by the Department of Parks and Recreation. Councillor Rhodes stated that the property located in the 2000 block of Sherman Drive has been used as a baseball facility and the individual that has been maintaining it, is now very interested in purchasing the piece of property. The second piece of land is located in the 5800 block of North Illinois Street and this property will be sold to the Indianapolis Water Company for an above ground pumping station. The Parks and Recreation Committee on April 11, 1985 recommended Proposal No. 134, 1985, Do Pass by a vote of 5-0. Councillor Rhodes moved, seconded by Councillor Howard for adoption. Councillor Giffin requested that he be allowed to abstain due to his employment with the Indianapolis Water Company. Proposal No. 134, 1985, was adopted on the following roll call vote; viz:

23 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Schneider, SerVaas, Shaw, Stewart, West*

NO NAYS

6 NOT VOTING: *Clark, Durnil, Giffin, Gilmer, Rhodes, Strader*

Proposal No. 134, 1985, was retitled SPECIAL RESOLUTION NO. 40, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 40, 1985

A SPECIAL RESOLUTION approving the sale of certain real estate by the Department of Parks and Recreation.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council approves, pursuant to I.C. 36-1-11-3 the sale of the following properties by the Department of Parks and Recreation:

<u>Location</u>	<u>Appraised Value</u>	<u>Public Hearing Date</u>
2000 Block of Sherman Dr.	\$57,900.00	February 25, 1982
5800 Block of N. Illinois St.	\$12,500.00	January 10, 1985

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 136, 1985. This proposal transfers \$38,500 for the Parks Department, Administration Division to fulfill the requirements of the Community Development Block Grant Rules. Councillor Rhodes stated that \$275,000 in Community Development Block Grants has been set aside for contractual work that is to be utilized within the City parks. Proposal No. 136, transfers \$38,500 to start the redevelopment of various parks. The Parks and Recreation Committee on April 11, 1985 recommended Proposal No. 136, 1985, Do Pass by a vote of 5-0. Councillor Rhodes moved, seconded by Councillor Journey for adoption. Proposal No. 136, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Strader, West
NO NAYS
4 NOT VOTING: Durnil, Gilmer, Schneider, Stewart

Proposal No. 136, 1985, was retitled FISCAL ORDINANCE NO. 37, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 37, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Thirty-eight Thousand Five Hundred Dollars (\$38,500) in the Park General Fund for purposes of the Department of Parks and Recreation, Administration and reducing certain other appropriations for the division.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds to fulfill the requirements of the Community Development Block Grant Rules and to adjust the 1985 budget submitted last year. SECTION 2. The sum of Thirty-eight Thousand Five Hundred Dollars (\$38,500) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:
DEPARTMENT OF PARKS AND RECREATION

ADMINISTRATION	PARK GENERAL FUND
2. Supplies	\$12,500
4. Capital Outlay	26,000
TOTAL INCREASE	<u>\$38,500</u>

SECTION 4. The said increased appropriation is funded by the following reductions:
DEPARTMENT OF PARKS AND RECREATION

ADMINISTRATION	PARK GENERAL FUND
3. Other Services & Charges	\$38,500
TOTAL REDUCTION	\$38,500

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 138, 1985. This proposal approves the contract with IPL and the Board of Public Works for the street lights. Councillor West stated that the contract before the Council represents a 1.6% or \$76,000 below the existing rate structure. The Committee amended Proposal No. 138, by deleting obsolete language. The Public Works Committee on April 4, 1985, recommended Proposal No. 138, 1985, Do Pass As Amended by a vote of 5-0. Councillor West moved, seconded by Councillor Coughenour for adoption. Councillor Howard requested that he be allowed to abstain from voting on Proposal No. 138, due to his employment with the Indianapolis Power and Light Company. Proposal No. 138, 1985, as amended, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

3 NOT VOTING: Durnil, Howard, Nickell

Proposal No. 138, 1985, as amended, was retitled GENERAL RESOLUTION NO. 7, 1985, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 7, 1985

A GENERAL RESOLUTION ratifying, confirming, and approving the contract entered into on the 4th day of March, 1985, by and between the Indianapolis Power and Light Company, a Corporation, and the City of Indianapolis, Indiana, acting by and through its Department of Public Works, with the approval of its Mayor, for lighting public streets, avenues, alleys, and other public places and buildings.

WHEREAS, heretofore, to wit: on the 4th day of March, 1985, the City of Indianapolis, Indiana, acting by and through its Department of Public Works, by proper action and approval of its Board of Public Works and its Mayor, entered into a certain contract and agreement with the Indianapolis Power & Light Company, a copy of which is attached to this resolution and incorporated herein by reference; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Public Lighting Contract" made and entered into by and between Indianapolis Power & Light Company, a corporation, and the City of Indianapolis, Indiana, on the 4th day of March, 1985, be and the same in all things hereby is ratified, confirmed and approved.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 140, 1985. This proposal establishes intersection controls in various subdivisions. Councillor Gilmer explained that these are streets that previously have not had any controls. The four subdivisions are Sunset Lakes, Highland Trails, Copperfield and Eagle Bay. The Transportation Committee on April 10, 1985, recommended Proposal No. 140, 1985, Do Pass by a vote of 7-0. Councillor Gilmer moved, seconded by Howard for adoption. Proposal No. 140, 1985, was adopted on the following roll call vote; viz:

20 AYES: Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Curry, Dowden, Giffin, Holmes, Howard, McGrath, Miller, Nickell, Page, Rhodes, SerVaas, Shaw, Strader, West

NO NAYS

9 NOT VOTING: Cottingham, Crowe, Durnil, Gilmer, Hawkins, Journey, Rader, Schneider, Stewart

Proposal No. 140, 1985, was retitled GENERAL ORDINANCE NO. 27, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 27, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6, Pg. 2	Copperfield Dr. & Hague Rd.	Hague Rd.	STOP

6, Pg. 2	Copperfield Dr., Dora Ct. & Wickfield Way	Copperfield Dr.	STOP
6, Pg. 2	Copperfield Dr., Micawper Cir. & Micawper Ct.	Copperfield Dr.	STOP
15, Pg. 1	Coatbridge Cir. & Coatbridge Way	Coatbridge Way	YIELD
15, Pg. 1	Coatbridge Way, Cobden	Coatbridge/Cob. Le. Le. & Cobden Ct.	STOP
15, Pg. 1	Cobden Le. & Inland Dr.	Inland Dr.	STOP
15, Pg. 1	Eagle Bay S. Dr., Eagle Bay W. Dr. & Eagle Lake Dr.	Eagle Bay S. Dr. & Eagle Bay W. Dr.	STOP
15, Pg. 1	Eagle Bay Cir. & Eagle Bay S. Dr.	Eagle Bay S. Dr.	YIELD
15, Pg. 1	Eagle Lake Cir. & Eagle Lake Dr.	Eagle Lake Dr.	YIELD
15, Pg. 1	Eagle Bay S. Dr. & Eagle Creek Pkwy.	Eagle Creek Pkwy.	STOP
29, Pg. 1	Bridgeport Rd. & Sunbow Dr.	Bridgeport Rd.	STOP
29, Pg. 2	Sunbow Dr., Sunglow Cir. & Sunglow Ct.	Sunbow Dr.	STOP

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 141, 1985. This proposal adds parking controls on a portion of New Jersey Street. Councillor Gilmer stated that the parking that was occurring was blocking access to the loading docks for the Caito Produce Company warehouse. Proposal No. 141, 1985, should correct this problem. The Transportation Committee on April 10, 1985, recommended Proposal No. 141, 1985, Do Pass by a vote of 7-0. Councillor Gilmer moved, seconded by Rader for adoption. Proposal No. 141, 1985, was adopted on the following roll call vote; viz:

23 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Strader, West

NO NAYS

6 NOT VOTING: Crowe, Durnil, McGrath, Schneider, Shaw, Stewart

Proposal No. 141, 1985, was retitled **GENERAL ORDINANCE NO. 28, 1985**, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 28, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

New Jersey Street, on the west side, from Empire Street to a point 43 feet south of Empire Street.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 142, 1985. This proposal establishes a loading zone on a portion of Pennsylvania Street. Councillor Gilmer stated that this will be a 34-foot loading zone on the east side of Pennsylvania Street south of Michigan Street. This was requested by 445 North Pennsylvania Corporation to provide curb space for customer pick-ups and deliveries. The Transportation Committee on April 10, 1985, recommended Proposal No. 142, 1985, Do Pass by a vote of 7-0. Councillor Gilmer moved, seconded by Schneider for adoption. Proposal No. 142, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West*
NO NAYS

3 NOT VOTING: *Durnil, McGrath, Stewart*

Proposal No. 142, 1985, was retitled **GENERAL ORDINANCE NO. 29, 1985**, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 29, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-331, Passenger and materials loading zones, be, and the same is hereby amended by the addition of the following, to wit:

Pennsylvania Street, on the east side from a point 48 feet south of Michigan Street to a point 82 feet south of Michigan Street.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 143, 1985. This proposal approves the disposal of property by the Department of Transportation. Councillor Gilmer explained that the two parcels listed in Proposal No. 143, is actually the Castleton Garage. The Transportation Committee on April 10, 1985, recommended Proposal No. 143, 1985, Do Pass by a vote of 7-0. Councillor Gilmer moved, seconded by Howard for adoption. Proposal No. 143, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Strader, West
NO NAYS

3 NOT VOTING: Durnil, Schneider, Stewart

Proposal No. 143, 1985, was retitled SPECIAL RESOLUTION NO. 41, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 41, 1985

A SPECIAL RESOLUTION approving the sale of certain real estate of the Department of Transportation.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council approves, pursuant to I.C. 36-1-11-3 the sale of the following properties by the Department of Transportation:

<u>Location</u>	<u>Appraised Value</u>	<u>Public Hearing Date</u>
8000 North Castleton Road	\$36,000.00	March 6, 1985
8435 Masters Road	\$45,000.00	March 6, 1985

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 154, 1985. This proposal recommends that the City-County Council sponsor and arrange a formal forum-symposium on waste disposal. Councillor West pointed out that Proposal No. 154, was sponsored by Councillor Boyd but it was prompted by the several hours that the Public Works Committee spent listening to public testimony. This proposal would allow those citizens with legitimate concerns to present time and if there are not specific proposals, the Council has made available the opportunity to present their ideas on a formal basis. The Committee had some reservations that there may be the tendency for the RDF (Refuse Derived Fuel) companies to come back and give their presentations again after the decision has already been made to go with the mass burn water wall technology. Proposal No. 154 may also compromise the City's procurement process as firms preparing \$200,000 proposals might doubt the City's intentions. The Public Works Committee on April 4, 1985, recommended Proposal No. 154, 1985, To Be Stricken by a vote of 3-1. Councillor West moved, seconded by Councillor Coughenour to Strike Proposal No. 154, 1985. The motion to Strike Proposal No. 154, 1985, failed on the following roll call vote; viz:

14 AYES: Bradley, Clark, Cottingham, Coughenour, Curry, Giffin, Gilmer, Holmes, Miller, Nickell, Rader, SerVaas, Strader, West

14 NAYS: Borst, Boyd, Campbell, Crowe, Dowden, Hawkins, Howard, Journey, McGrath, Page, Rhodes, Schneider, Shaw, Stewart

1 NOT VOTING: Durnil

SPECIAL SERVICE DISTRICT COUNCILS

There being no business before any of the Special Service District Councils, none of the Special Service District Councils convened.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business and upon motion duly made and seconded, the meeting adjourned at 9:29 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and the Indianapolis, Police, Fire and Solid Waste Collection Special Service District Councils on the 15th day of April, 1985.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.


President


Clerk of the City-County Council

ATTEST:

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND SPECIAL SERVICE DISTRICT COUNCILS
OF INDIANAPOLIS, MARION COUNTY, INDIANA**

REGULAR MEETINGS - MONDAY, MAY 6, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:06 p.m., on Monday, May 6, 1985, with Councillor SerVaas presiding.

The meeting was opened with a prayer and the Pledge of Allegiance to the Flag by Councillor David P. McGrath.

ROLL CALL

Councillor SerVaas instructed the Clerk to take the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Clark, Cottingham, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
ABSENT: Campbell, Coughenour, Curry, Page

Twenty-five members being present, he announced a quorum was present.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

**TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE,
FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT
COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,
INDIANA:**

Ladies and Gentlemen:

You are hereby notified that **REGULAR MEETINGS** of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, May 6, 1985, at 7:00 p.m., the purposes of such **MEETINGS** being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

s/Beurt SerVaas, President
City-County Council

April 22, 1985

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on April 25, 1985, a copy of **NOTICE TO TAXPAYERS** of a Public Hearing on Proposal Nos. 168, and 170, 1985, to be held on Monday, May 6, 1985, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

April 30, 1985

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 28, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Three Hundred Ninety Thousand Dollars (\$390,000) in the County Cumulative Capital Development Fund for purposes of the Department of Parks and Recreation, Administration Division and reducing the unappropriated and unencumbered balance in the County Cumulative Capital Development Fund.

FISCAL ORDINANCE NO. 29, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Three Hundred Sixty Thousand Dollars (\$360,000) in the City Cumulative Capital Development Fund for purposes of the Department of Public Works, Office of the Director and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

FISCAL ORDINANCE NO. 30, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Seven Hundred Twenty Thousand Dollars (\$720,000) in the City Cumulative Capital Development Fund for purposes of the Department of Public Works, Flood Control Division and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

FISCAL ORDINANCE NO. 31, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Seven Hundred Eighty Thousand Dollars (\$780,000) in the County Cumulative Capital Development Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the County Cumulative Capital Development Fund.

FISCAL ORDINANCE NO. 32, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Seven Hundred Three Thousand Five Hundred Eighty Dollars (\$703,580) in the Consolidated County Fund for purposes of the Department of Administration, Central Equipment Management Division and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

FISCAL ORDINANCE NO. 33, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Five Hundred Fifty-three Thousand Dollars (\$553,000) in the Park Land Fund for purposes of the Department of Parks and Recreation, Administration Division and reducing the unappropriated and unencumbered balance in the Parks Land Fund.

FISCAL ORDINANCE NO. 34, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twelve Thousand Dollars (\$12,000) in the State and Federal Grant Fund for purposes of the Marion County Community Corrections Advisory Board and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 35, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Six Hundred Seventy-five Thousand Nine Hundred Thirty-three Dollars (\$675,933) in the Transportation General Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation General Fund.

FISCAL ORDINANCE NO. 36, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 3.02) of the Marion County Guardian Home.

FISCAL ORDINANCE NO. 37, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Thirty-eight Thousand Five Hundred Dollars (\$38,500) in the Park General Fund for purposes of the Department of Parks and Recreation, Administration Division and reducing certain other appropriations for that division.

GENERAL ORDINANCE NO. 27, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 28, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 29, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

SPECIAL ORDINANCE NO. 11, 1985, a final bond ordinance authorizing the issuance of \$400,000 Economic Development Revenue Bonds for Central Mold Works, Inc.

SPECIAL ORDINANCE NO. 12, 1985, a final bond ordinance authorizing the issuance of \$7,700,000 Economic Development Revenue Bonds (interim construction financing) for Sexton 1985 Carlton-I.

SPECIAL ORDINANCE NO. 13, 1985, a final bond ordinance authorizing the issuance of \$18,000,000 Economic Development Revenue Bonds (interim construction financing) for Sexton 1985 Carlton-I.

GENERAL RESOLUTION NO. 6, 1985, approving the issuance of "City of Indianapolis Redevelopment District Bonds of 1985" in the amount of \$45,750,000.

GENERAL RESOLUTION NO. 7, 1985, ratifying, confirming, and approving the contract entered into on the 4th day of March, 1985, by and between the Indianapolis Power and Light Company, a Corporation, and the City of Indianapolis, Indiana, acting by and through its Department of Public Works, with the approval of its Mayor, for lighting public streets, avenues, alleys, and other public places and buildings.

SPECIAL RESOLUTION NO. 30, 1985, in memoriam of Lanny D. Gerber.

SPECIAL RESOLUTION NO. 31, 1985, honoring the Indianapolis Youth Hockey Team.

SPECIAL RESOLUTION NO. 32, 1985, regarding funding for Hazardous Material Resource Teams.

SPECIAL RESOLUTION NO. 33, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 34, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 35, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 36, 1985, amending previously adopted City-County Special Resolution No. 106, 1984 to amend the description of the Project and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 37, 1985, amending City-County Special Resolution No. 84, 1984, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 38, 1985, amending City-County Special Resolution No. 85, 1984, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 39, 1985, amending City-County Special Resolution No. 88, 1984, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 40, 1985, approving the sale of certain real estate by the Department of Parks and Recreation.

SPECIAL RESOLUTION NO. 41, 1985, approving the sale of certain estate of the Department of Transportation.

COUNCIL RESOLUTION NO. 11, 1985, reaffirms the appointment of George Bixler.

Respectfully submitted,

s/William H. Hudnut, III

ADOPTION OF AGENDA

Consent was given for the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of May 6, 1985.

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections for the Journal of March 11, 1985. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS --

PROPOSAL NO. 220, 1985. This proposal approves the leasing of certain real estate by the Department of Parks and Recreation. Councillor Durnil asked for consent to move Proposal No. 220, 1985, forward on the agenda for action by the Council at this meeting. Consent was given.

PROPOSAL NO. 232, 1985. This proposal honors School No. 92 Special Olympics State Basketball Champions. Councillor Boyd introduced the Tiger team members and staff members of School No. 92. He read the resolution and congratulated the team for bringing home the gold. Councillor Boyd moved, seconded by Councillor Borst for adoption. Proposal No. 232, 1985, was adopted by unanimous voice vote and retitled SPECIAL RESOLUTION NO. 42, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 42, 1985

A SPECIAL RESOLUTION honoring School No. 92 Special Olympics state basketball champions.

WHEREAS, a basketball team of eight outstanding students from Indianapolis Public School No. 92 won their division title in the Special Olympics State Basketball Championship; and

WHEREAS, the participating players did not even begin practicing as a team until November of last year; and

WHEREAS, the Tigers were victorious in area, sectional, regional, semistate and now the State Championship; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council of Indianapolis and Marion County, Indiana honors School No. 92 Special Olympics State Basketball Champions for bringing home the gold.

SECTION 2. The City-County Council further recognizes and salutes Tiger team members Idris Parker, Joy Jones, Lisa Madison, Michael Pierson, Aric Davis, Keith Conrad, Andre Yakes and Candy Didion, team sponsor Marsha J. Holsapple, Coach Rev. Larry D. Medcalfe and Principal Richard A. Nuttall.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 233, 1985. This proposal is in memoriam of French M. Elrod and is sponsored by the entire council. Councillor Clark spoke briefly on the many contributions Mr. French M. Elrod had given to his community and to the City of Indianapolis. Councillor Clark then read the resolution and asked for a moment of silence in honor of Mr. French Elrod and presented the resolution to his son, Mr. Robert G. Elrod, General Counsel for the City-County Council.

Councillor Clark moved, seconded by Councillor Schneider for adoption. Proposal No. 233, 1985, was adopted by unanimous voice vote and was retitled SPECIAL RESOLUTION NO. 43, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 43, 1985

A SPECIAL RESOLUTION in memoriam of French M. Elrod.

WHEREAS, French M. Elrod was an active community leader in Indianapolis for more than fifty (50) years; and

WHEREAS, Mr. Elrod served his city and county as County Attorney, County Assessor, County Commissioner, Circuit Court Commissioner and Precinct Committeeman; and

WHEREAS, he served his fellow citizens as a member of Pleasant Masonic Lodge, York Rite, Scottish Rite, Shrine, Gideons International, Edgewood United Methodist Church, he was a past patron of the Acton Chapter, Order of the Eastern Star, a member of the American and Indianapolis Bar Associations, and was the founder and senior partner of the firm Elrod, Elrod and Mascher; and

WHEREAS, French M. Elrod was taken from us on Sunday, April 28, 1985; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis-Marion County City-County Council expresses its sincere appreciation and gratitude to French M. Elrod for his lifelong service and unselfish dedication to his city and community.

SECTION 2. The City-County Council expresses its condolences to the family of French M. Elrod.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 187, 1985. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE amending previously adopted Special Ordinance No. 1, 1985, for Symphony Towers to modify the Loan Agreement and Trust Indenture"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 191, 1985. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION granting the extension of the expiration date contained in previously adopted Special Resolution No. 92, 1981, for Canal Commons "; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 196, 1985. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION granting the extension of the expiration date and modifying the partnership and project description contained in previously adopted Special Resolution No. 102, 1983, for J. Scott Keller Partnership"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 206, 1985. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for SMC Pneumatics, Inc. in an approximate amount of \$7,300,000"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 207, 1985. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for American Trans Air, Inc. in an approximate amount of \$10,000,000"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 214, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving the issuance of temporary tax anticipation time warrants for the use of the Park District Fund, Consolidated County Fund, Consolidated City Police Force Account, Police Pension Fund, Consolidated City Fire Force Account, Firemen's Pension Fund and Sanitary Solid Waste General Fund during the period of July 1, 1985 to December 31, 1985"; and the President referred it to the Administration Committee.

PROPOSAL NO. 215, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$26,300 for the Department of Administration, Office of the Director to reduce workmen's compensation claims"; and the President referred it to the Administration Committee.

PROPOSAL NO. 216, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$236,000 for the Department of Administration, Office of the Director for a Health Enhancement Program"; and the President referred it to the Administration Committee.

PROPOSAL NO. 217, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$15,000 for the Records Division to increase microfilming of county records on a contractual basis"; and the President referred it to the Administration Committee.

PROPOSAL NO. 218, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the Board of County Commissioners to issue and sell bonds of the County in an amount not to exceed \$4,992,000 to pay certain judgment obligations of the Department of Public Welfare owed to Methodist, Community and I.U. Hospitals"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 219, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$614 for the County Assessor for printing of forms for all township assessors"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 221, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$20,000 for Superior Court, Juvenile Division for the Guardian At Litem Project which will be reimbursed"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 222, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$5,000 for Superior Court, Criminal Division, Probation Department for the partial payment of the Intern Supervisor's salary"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 223, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$21,550 for Superior Court, Criminal Division, Probation Department to purchase supplies, equipment and office remodeling"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 224, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$2,433 for the Prosecutor for expenses incurred during an investigation and a training conference"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 225, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$25,000 for the Prosecutor to meet the requirements of the Youth Resource Center Grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 226, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of Pleasant Run Parkway"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 227, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls in various subdivisions"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 228, 1985. Introduced by Councillors Holmes and Bradley. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Lafayette Road and Eagledale Shopping Center"; and the President referred it to the Transportation Committee.

MODIFICATION OF SPECIAL ORDERS

PROPOSAL NO. 229, 1985. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Dewey F. Hoss to the Equal Opportunity Advisory Board"; and the President referred it to the Administration Committee.

PROPOSAL NO. 230, 1985. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Lt. Hilton J. Cancel to the Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 231, 1985. Introduced by Councillor Nickell. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of Brentwood"; and the President referred it to the Transportation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

Councillor Gilmer requested that consent be given to move Proposal No. 171, 1985, forward on the agenda at this time due to the great interest by the general public on this particular issue. Consent was given.

PROPOSAL NO. 171, 1985. This proposal recommends the renaming of certain streets to "Dr. Martin Luther King, Jr. Street". Councillor Borst reported that this proposal involves West Street from Interstate Seventy north to Sixteenth

Street, said portion to be renamed "Dr. Martin Luther King, Jr. Street"; and Northwestern Avenue from Sixteenth Street north to Thirty-eighth Street to be renamed

"Dr. Martin Luther King, Jr. Avenue". Dr. Borst emphasized that the Council can only make a recommendation to the Metropolitan Development Commission and the Commission has the final decision. The Metropolitan Development Committee on May 2, 1985, recommended Proposal No. 171, 1985, Do Pass by a vote of 6-0. Councillor Borst moved, seconded by Councillor Strader for adoption.

Councillor Schneider explained that he had been contacted by a representative of the Polar Ice Company in opposition of Proposal No. 171 and asked for consent to allow this person to speak.

Mr. Lou McGuire, Polar Ice Company, stated that today was the first time he had heard about this issue being up for discussion again. His objections to Proposal No. 171 are purely economic due to the fact that to change stationary and billboards around town will cost them \$27,500. They are a nationally recognized company that is known to be located on Northwestern Avenue.

Councillor Howard pointed out that six years ago, petitioners had collected 4,000 signatures in support of renaming the streets and at that time he found out that the Post Office will honor an old address for up to five years.

Councillor Strader stated that the questions will always remain, why not another street or why not a memorial way. The minorities have always been treated as second class citizens and this is not only to honor a great black hero but a great American citizen and he asked that everyone vote their conscience.

Councillor SerVaas called for the vote on the main motion. Proposal No. 171, 1985, passed by a voice vote and was retitled SPECIAL RESOLUTION NO. 44, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 44, 1985

A SPECIAL RESOLUTION recommending the renaming of various streets to "Dr. Martin Luther King, Jr. Street".

A

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The following street name change is recommended by the City-County Council to the Metropolitan Development Commission:

- (a) West Street from Interstate Seventy (I-70) north to Sixteenth Street be renamed "Dr. Martin Luther King, Jr. Street"; and
- (b) Northwestern Avenue from Sixteenth Street north to Thirty-eighth Street be renamed "Dr. Martin Luther King, Jr. Avenue".

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 184, 1985. This proposal is a final bond ordinance authorizing the issuance of \$725,000 Economic Development Revenue Bonds for 4V's, an Indiana partnership. Councillor Schneider explained that 4V's was induced under the name of Van's Carburetor & Electric, Inc. or a partnership to be formed by the principals of said corporation and other members of the Van Vlyman family. A partnership has now been formed known as 4V's. The project is the acquisition, renovation and equipping of an existing building containing approximately 20,000 square feet plus the construction of approximately 6,000 square feet of additional space at 2655 Kentucky Avenue. The Company is involved in the business of rebuilding carburetors, starters, alternators, regulators, distributors and other vehicle parts including the wholesale distribution of those parts and various new parts. Bond financing contains the following documents: Bond Purchase and Loan Agreement, Series 1985 Promissory Note, and Mortgage and Security Agreement. The interest rate can be fixed or variable (77% of INB Prime) until the interest adjustment date (120th month). Thereafter, at the negotiated rate which must be at least 50% of prime but not more than 90% of prime. The interest is payable monthly. Principal is paid monthly in 180 installments of \$4,027.78. The Economic Development Committee on May 1, 1985, recommended Proposal No. 184, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Stewart for adoption. Proposal No. 184, 1985, was adopted on the following roll call vote; viz:

20 AYES: Borst, Boyd, Bradley, Clark, Crowe, Durnil, Giffin, Gilmer, Holmes, Journey, McGrath, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

9 NOT VOTING: Campbell, Cottingham, Coughenour, Curry, Dowden, Hawkins, Howard, Miller, Page

Proposal No. 184, 1985, was retitled SPECIAL ORDINANCE NO. 14, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 14, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1985 (4 V's Project)" in the aggregate principal amount of Seven Hundred Twenty-five Thousand Dollars (\$725,000) and approving and authorizing other actions in respect thereto.

WHEREAS, on December 10, 1984 the City-County Council of the City of Indianapolis and of Marion County, Indiana adopted City-County Special Resolution No. 104, 1984 inducing Van's Carburetor & Electric, Inc. or a partnership to be formed by the principals of said corporation and other members of the Van Vlyman family to develop the Project hereinafter described and such partnership, known as 4 V's, an Indiana partnership, has now been formed; and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for 4 V's, an Indiana partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on May 1, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by 4 V's, an Indiana partnership (the "Company") consisting of the acquisition, renovation, installation and equipping of an existing building containing approximately 20,000 square feet plus construction of approximately 6,000 square feet of additional space and the machinery and equipment to be installed therein plus certain site improvements to be located at 2655 Kentucky Avenue, Indianapolis, Indiana on approximately 3.58 acres of land which will be used in the business of rebuilding carburetors, starters, alternators, regulators, distributors and other vehicle parts and the wholesale distribution of those parts and various new parts (the "Project") which will be initially owned and operated by 4 V's, an Indiana partnership complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Bond Purchase and Loan Agreement, Series 1985 Promissory Note, Mortgage and Security Agreement and the form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bonds, Series 1985 (4 V's Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement consisting of the acquisition, renovation, installation and equipping of an existing building containing approximately 20,000 square feet plus construction of approximately 6,000 square feet of additional space and the machinery and equipment to be installed therein plus certain site improvements to be located at 2655 Kentucky Avenue, Indianapolis, Indiana on approximately 3.58 acres of land which will be used in the business of rebuilding carburetors, starters, alternators, regulators, distributors and other vehicle parts and the wholesale distribution of those parts and various new parts previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to 4 V's, an Indiana partnership for the purposes of financing the economic development facilities being acquired, renovated, installed and equipped or to be acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by 4 V's, an Indiana partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Bond Purchase and Loan Agreement, Series 1985 Promissory Note, Mortgage and Security Agreement and the form of the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1985 (4 V's Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Bond Purchase and Loan Agreement, Series 1985 Promissory Note, Mortgage and Security Agreement and the form of the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1985 (4 V's Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development First Mortgage Revenue Bonds, Series 1985 (4 V's Project) in the aggregate principal amount of Seven Hundred Twenty-five Thousand Dollars (\$725,000) for the purpose of procuring funds to loan to 4 V's, an Indiana partnership in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Bond Purchase and Loan Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by 4 V's, an Indiana partnership on its Series 1985 Promissory Note in the principal amount of Seven Hundred Twenty-five Thousand Dollars (\$725,000), which will be executed and delivered by 4 V's, an Indiana partnership to evidence and secure said loan, and as otherwise provided in the above described Bond Purchase and Loan Agreement, Mortgage and Security Agreement. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest, whether fixed or variable, determined in the manner set forth in the Loan Agreement provided however that the per annum rate of interest thereon shall in no event exceed thirty percent (30%).

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Bond Purchase and Loan Agreement, Mortgage and Security Agreement, the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bonds, Series 1985 (4 V's Project), and the Endorsement to the Series 1985 Promissory

Note approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Bond Purchase and Loan Agreement. The Mayor and City Clerk may by their execution of the Bond Purchase and Loan Agreement, Mortgage and Security Agreement, the Endorsement to the Series 1985 Promissory Note and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the Series 1985 Promissory Note without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Bond Purchase and Loan Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1985 (4 V's Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 185, 1985. This is a proposal for a special ordinance amending previously adopted Special Ordinance No. 13, 1985, for Sexton 1985 Carlton-I to modify the interest rate definition. This particular project involves the construction of 702 units of multi-family residential rental housing at 8300 Township Line Road. Councillor Schneider explained that the amendment allows the commitment fee to be tax exempt to the extent that it represents pre-paid interest and not reimbursement for costs of making the loan. The Economic Development Committee on May 1, 1985, recommended Proposal No. 185, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Stewart for adoption. Proposal No. 185, 1985, was adopted on the following roll call vote; viz:

20 AYES: Borst, Boyd, Clark, Crowe, Durnil, Giffin, Gilmer, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

9 NOT VOTING: Bradley, Campbell, Cottingham, Coughenour, Curry, Dowden, Hawkins, Howard, Page

Proposal No. 185, 1985, was retitled SPECIAL ORDINANCE NO. 15, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 15, 1985

A SPECIAL ORDINANCE amending City-County Special Ordinance No. 13, 1985 and authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (Sexton 1985 Carlton-I Project)" in the aggregate principal amount of Eighteen Million Dollars (\$18,000,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Sexton 1985 Carlton-I and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on April 3, 1985, and after a meeting on May 1, 1985, adopted Resolutions on these dates, which Resolutions have been previously transmitted hereto, finding that the interim (construction) financing of certain economic development facilities to be developed by Sexton 1985 Carlton-I (the "Company") consisting of the acquisition, construction, installation and equipping of approximately 702 units of multifamily residential rental housing totaling 578,442 gross square feet (529,410 net rentable square feet) contained in 43 individual buildings and the machinery and equipment to be installed therein plus certain site improvements to be located at 8300 Township Line Road on approximately 57.248 acres of land (the "Project") which will be initially owned and operated by Sexton 1985 Carlton-I complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, although the City-County Council adopted City-County Special Ordinance No. 13, 1985 on April 15, 1985, the authorized Bonds have not yet been issued; and

WHEREAS, the Company has requested certain modifications of the Financing Agreement (as defined in I.C. 36-7-12-2); and

WHEREAS, the Indianapolis Economic Development Commission at its meeting on May 1, 1985 has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Land Use Restriction Agreement, First Mortgage Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (Sexton 1985 Carlton-I Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the interim (construction) financing of the economic development facilities referred to in the Loan Agreement consisting of the acquisition, construction, installation and equipping of approximately 702 units of multifamily residential rental housing and the machinery and equipment to be installed therein plus certain site improvements to be located at 8300 Township Line Road on approximately 57.248 acres of land previously approved by the Indianapolis Economic

Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Sexton 1985 Carlton-I for the purposes to provide interim (construction) financing the economic development facilities being acquired, constructed, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Sexton 1985 Carlton-I will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Land Use Restriction Agreement, First Mortgage Note and the form of the City of Indianapolis Economic Development Revenue Bonds (Sexton 1985 Carlton-I Project) approved by the Indianapolis Economic Development Commission on May 1, 1985 are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Land Use Restriction Agreement, First Mortgage Note and the form of the City of Indianapolis Economic Development Revenue Bonds (Sexton 1985 Carlton-I Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds (Sexton 1985 Carlton-I Project) in the aggregate principal amount of Eighteen Million Dollars (\$18,000,000) for the purpose of procuring funds to loan to Sexton 1985 Carlton-I in order to provide interim (construction) financing for the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Sexton 1985 Carlton-I on its First Mortgage Note in the aggregate principal amount of Eighteen Million Dollars (\$18,000,000), which will be executed and delivered by Sexton 1985 Carlton-I to evidence and secure said loan, and as otherwise provided in the above described Trust Indenture and Land Use Restriction Agreement. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest equal to seventy-five percent (75%) of the daily adjusted prime rate of American Fletcher National Bank and Trust Company, Indianapolis, Indiana, as announced from time to time, except that (i) the interest rate thereon shall in no event exceed 30% per annum, (ii) in the event of a Determination of Taxability (as defined in the Loan Agreement) the Bonds shall bear interest at the Taxable Rate (as defined in the Loan Agreement), (iii) under certain circumstances the Bonds shall bear interest at the Adjusted Tax Exempt Rate (as defined in the Loan Agreement), and (iv) upon late payment or other default under the Trust Indenture interest shall be payable at a rate equal to 2% per annum above the otherwise applicable rate. Prepaid interest on the Bonds shall be payable on the Issue Date in the aggregate amount of Two Hundred Ninety-two Thousand Five Hundred Dollars (\$292,500).

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Land Use Restriction Agreement, the City of Indianapolis, Indiana Economic Development Revenue Bonds (Sexton 1985 Carlton-I Project), and the Endorsement to the First

Mortgage Note approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Land Use Restriction Agreement, the Endorsement to the First Mortgage Note and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the Promissory Note without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds (Sexton 1985 Carlton-I Project) Series 1984 and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance amends and supercedes the previously adopted Special Ordinance No. 13, 1985.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 186, 1985. This is a proposal for a special ordinance authorizing the execution and delivery of an Assignment and Assumption Agreement concerning previously issued Economic Development Revenue Bonds for Paper Art Company, Inc. Councillor Schneider explained that Proposal No. 186 is needed because Paper Art Company, Inc. is in the process of negotiating a final agreement for sale of its assets to a wholly-owned subsidiary of The Mennen Company by the name of Fine Arts Company, Inc., and the name of this subsidiary will be changed to Paper Art Company, Inc. at closing. Fine Art Company, Inc. intends to assume the Loan Agreement and the Mortgage and Indenture of Trust without any change in the terms and continue to operate the economic development facility. The Economic Development Committee on May 1, 1985, recommended Proposal No. 186, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Clark for adoption. Proposal No. 186, 1985, was adopted on the following roll call vote; viz:

21 AYES: Borst, Boyd, Clark, Crowe, Dowden, Durnil, Giffin, Gilmer, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

8 NOT VOTING: Bradley, Campbell, Cottingham, Coughenour, Curry, Hawkins, Howard, Page

Proposal No. 186, 1985, was retitled SPECIAL ORDINANCE NO. 16, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 16, 1985

A SPECIAL ORDINANCE authorizing the execution and delivery of an Assignment and Assumption Agreement concerning the previously issued \$2,250,000 City of Indianapolis Economic Development Second Mortgage Revenue Bond, Series 1980 (Paper Art Company, Inc. Project).

WHEREAS, the Indianapolis Economic Development Commission, at its meeting on May 1, 1985 was presented with an Assignment and Assumption Agreement (the "Agreement") dated April 30, 1985, between Paper Art Company, Inc., an Indiana Corporation, (the "Assignor"); Fine Art Company, Inc. (subsequently to change to the name Paper Art Company, Inc.), a Delaware Corporation, (the "Assignee"); City of Indianapolis, Indiana, a municipal corporation organized and existing under the laws of the State of Indiana, (the "City"); American Fletcher National Bank and Trust Company, a national banking association, Indianapolis, Indiana (the "Trustee"); and American Fletcher National Bank and Trust Company, Indianapolis, Indiana (the "Bondholder"); and

WHEREAS, Assignor entered into a Loan Agreement, dated as of May 1, 1980, with the City (the "Loan Agreement"), in connection with the issuance by the City of its \$2,250,000 Economic Development Second Mortgage Revenue Bond, Series 1980 (Paper Art Company, Inc. Project) (the "Bond"), the proceeds of which were loaned to the Assignor by the City to facilitate the acquisition and construction of the "Project" (as defined in the Loan Agreement). The Assignor, the City and the Trustee also entered into a Mortgage and Indenture of Trust, dated as of May 1, 1980, recorded at Marion County Records at 80-30110 (the "Indenture"), securing the loan to the Assignor with a second mortgage on the Project. The Assignor also issued its Series 1980 Note in the principal amount of \$2,250,000 (the "Note") pursuant to the Loan Agreement and the Indenture to secure its payment obligations on the Bond; and

WHEREAS, Assignor has agreed with Assignee to assign to Assignee all of Assignor's right, title and interest in and to the Loan Agreement, the Indenture and the Project, and Assignee has agreed to assume all of the obligations and duties of Assignor under such documents, as such may be simultaneously therewith amended; and

WHEREAS, the Agreement evidences and confirms the agreement and consent to the transfer of any interest Assignor holds under the Loan Agreement and the indenture to the Assignee, and the assumption by Assignee of all obligations of Assignor under such documents; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final form of the Agreement by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the execution and delivery of the Agreement and the performance of the acts provided for therein previously approved by the Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The form of the Agreement approved by the Indianapolis Economic Development Commission is approved and such document shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Agreement are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Bond shall continue to never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The Mayor and City Clerk are authorized and directed to execute the Agreement approved herein, and its execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The City Clerk or City Controller are authorized to arrange for the delivery of such Agreement. The Mayor and City Clerk may be execution of the Agreement approve changes therein without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) (1) through (a) (11).

SECTION 5. The provisions of this ordinance, the Agreement and the Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Bond and after the execution and delivery of the Agreement this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

[CLERK'S NOTE: The following proposals were discussed together but individual votes were taken on each.]

PROPOSAL NOS. 188, 189, 190, 193, 195, 197-202, 1985. Chairman Schneider explained that Proposal Nos. 188, 189, 190, 193, 195, 197-202, 1985, grant an extension of expiration dates contained in previously adopted inducement resolutions for various projects. The new expiration date will be December 31, 1985. The Economic Development Committee on May 1, 1985, recommended Proposal Nos. 188, 189, 190, 193, 195, 197-202, 1985, Do Pass by a vote of 3-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 188, 1985, was adopted on the following roll call vote;viz:

22 AYES: Borst, Boyd, Clark, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

7 NOT VOTING: Bradley, Campbell, Cottingham, Coughenour, Curry, Howard, Page

Proposal No. 188, 1985, was retitled SPECIAL RESOLUTION NO. 45, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 45, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 53, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 53, 1984 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by a partnership to be formed the principals of which will include James P. Revel, Ben A. Gatch, James D. Bremner and Donald D. Wools (the "Company"); and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution and it is desirable to place an expiration date on the previously adopted Special Resolution No. 53, 1984; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 53, 1984 is hereby amended by deleting Section 3 and Section 4 thereof and inserting in lieu thereof the following: **SECTION 3.** In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this body hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this

action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12. SECTION 4. All costs of the Project incurred after the passage of City-County Special Resolution No. 53, 1984, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 53, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 189, 1985, was adopted on the following roll call vote; viz:

23 AYES: *Borst, Boyd, Bradley, Clark, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

6 NOT VOTING: *Campbell, Cottingham, Coughenour, Curry, Howard, Page*

Proposal No. 189, 1985, was retitled SPECIAL RESOLUTION NO. 46, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 46, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 103, 1983 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 103, 1983 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by B & D Associates, an Indiana limited partnership (the "Company"); and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution and it is desirable to place an expiration date on the previously adopted Special Resolution No. 103, 1983; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 103, 1983 is hereby amended by deleting Section 3 and Section 4 thereof and inserting in lieu thereof the following: **SECTION 3.** In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this body hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12. **SECTION 4.** All costs of the Project incurred after the passage of City-County Special Resolution No. 103, 1983, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel

fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 103, 1983 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 190, 1985, was adopted on the following roll call vote; viz:

21 AYES: Borst, Boyd, Bradley, Clark, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, West

NO NAYS

8 NOT VOTING: Campbell, Cottingham, Coughenour, Curry, Howard, Page, Schneider, Strader

Proposal No. 190, 1985, was retitled SPECIAL RESOLUTION NO. 47, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 47, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 44, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 44, 1984 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Brougner Agency, Inc. (the "Company"); and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution and it is desirable to place an expiration date on the previously adopted Special Resolution No. 44, 1984; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 44, 1984 is hereby amended by deleting Section 3 and Section 4 thereof and inserting in lieu thereof the following: **SECTION 3.** In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this body hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12. **SECTION 4.** All costs of the Project incurred after the passage of City-County Special Resolution No. 44, 1984, including reimbursement or repayment to the Company of moneys expended by the Company for application, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will hereafter see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 44, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 193, 1985, was adopted on the following roll call vote; viz:

20 AYES: *Borst, Boyd, Clark, Crowe, Dowden, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

NO NAYS

9 NOT VOTING: *Bradley, Campbell, Cottingham, Coughenour, Curry, Durnil, Howard, Page, Strader*

Proposal No. 193, 1985, was retitled SPECIAL RESOLUTION NO. 48, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 48, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 45, 1983 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 45, 1983 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by City Inns, Inc. d/b/a Howard Johnson's (Downtown) Motor Lodge (the "Company"); and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution and it is desirable to place an expiration date on the previously adopted Special Resolution No. 45, 1983; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 45, 1983 is hereby amended by deleting Section 3 and Section 4 thereof and inserting in lieu thereof the following: SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this body hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previ-

ously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of City-County Special Resolution No. 45, 1983, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 45, 1983 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 195, 1985, was adopted on the following roll call vote; viz:

20 AYES: Boyd, Clark, Crowe, Dowden, Durnil, Giffin, Gilmer, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

9 NOT VOTING: Borst, Bradley, Campbell, Cottingham, Coughenour, Curry, Hawkins, Howard, Page

Proposal No. 195, 1985, was retitled SPECIAL RESOLUTION NO. 49, 1985, and reads as follows:

A

CITY-COUNTY SPECIAL RESOLUTION NO. 49, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 91, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 91, 1984 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Cernelius Printing Company, Inc. (the "Company") which Special Resolution contained an expiration date of May 31, 1985 unless the economic development revenue bonds for the Project "... have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of [the] inducement resolution."; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution and it is desirable to place an expiration date on the previously adopted Special Resolution No. 91, 1984; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 91, 1984 is hereby amended by deleting the expiration date of May 31, 1985 contained in Section 3 thereof and replacing said date with the date of December 31, 1985.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 91, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 197, 1985, was adopted on the following roll call vote; viz:

21 AYES: Boyd, Bradley, Clark, Crowe, Dowden, Durnil, Giffin, Gilmer, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

8 NOT VOTING: Borst, Campbell, Cottingham, Coughenour, Curry, Hawkins, Howard, Page

Proposal No. 197, 1985, was retitled SPECIAL RESOLUTION NO. 50, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 50, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 7, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 7, 1984 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by RC of A Retirement Living Ltd., Series V or an entity to be formed in which Richard T. Conard, M.D. is a partner or shareholder (the "Company"); and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution and it is desirable to place an expiration date on the previously adopted Special Resolution No. 7, 1984; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 7, 1984 is hereby amended by deleting Section 3 and Section 4 thereof and inserting in lieu thereof the following: SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this body hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, subject to the caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12. SECTION 4. All costs of the Project incurred after the passage of City-County Special Resolution No. 7, 1984, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, renovation, underwriting

expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 7, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 198, 1985, was adopted on the following roll call vote; viz:

21 AYES: *Boyd, Bradley, Clark, Cottingham, Crowe, Dowden, Durnil, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

NO NAYS

8 NOT VOTING: *Borst, Campbell, Coughenour, Curry, Giffin, Howard, Page, Strader*

Proposal No. 198, 1985, was retitled SPECIAL RESOLUTION NO. 51, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 51, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 65, 1983 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 65, 1983 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by a corporation to be formed by Robert A. Borns and Sandra S. Borns probably named Printer's Place Company Corporation (the "Company"); and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution and it is desirable to place an expiration date on the previously adopted Special Resolution No. 65, 1983; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 65, 1983 is hereby amended by deleting Section 3 and Section 4 thereof and inserting in lieu thereof the following: **SECTION 3.** In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this body hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12. **SECTION 4.** All costs of the Project incurred after the passage of City-County Special Resolution No. 65, 1983, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 65, 1983 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 199, 1985, was adopted on the following roll call vote; viz:

23 AYES: *Boyd, Bradley, Clark, Cottingham, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

6 NOT VOTING: *Borst, Campbell, Coughenour, Curry, Howard, Page*

Proposal No. 199, 1985, was retitled SPECIAL RESOLUTION NO. 52, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 52, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 30, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 30, 1984 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by United Brake Systems, Inc. (the "Company"); and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution and it is desirable to place an expiration date on the previously adopted Special Resolution No. 30, 1984; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 30, 1984 is hereby amended by deleting Section 3 and Section 4 thereof and inserting in lieu thereof the following: SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this body hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable

limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12. SECTION 4. All costs of the Project incurred after the passage of City-County Special Resolution No. 30, 1984, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 30, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 200, 1985, was adopted on the following roll call vote; viz:

21 AYES: Borst, Boyd, Bradley, Cottingham, Crowe, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

NO NAYS

8 NOT VOTING: Campbell, Clark, Coughenour, Curry, Dowden, Howard, Page, Strader

Proposal No. 200, 1985, was retitled SPECIAL RESOLUTION NO. 53, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 53, 1985

A

A SPECIAL RESOLUTION amending City-County Special Resolution No. 23, 1983 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 23, 1983 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by We Care Manor, Inc. Nursing Center (the "Company"); and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution and it is desirable to place an expiration date on the previously adopted Special Resolution No. 23, 1983; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 23, 1983 is hereby amended by deleting Section 3 and Section 4 thereof and inserting in lieu thereof the following: SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this body hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the

aforementioned purposes comply with the provisions of I.C. 36-7-12. SECTION 4. All costs of the Project incurred after the passage of City-County Special Resolution No. 23, 1983, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 23, 1983 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 201, 1985, was adopted on the following roll call vote; viz:

22 AYES: *Borst, Boyd, Bradley, Cottingham, Crowe, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

2 NAYS: *Clark, Dowden*

5 NOT VOTING: *Campbell, Coughenour, Curry, Howard, Page*

Proposal No. 201, 1985, was retitled SPECIAL RESOLUTION NO. 54, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 54, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 34, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 34, 1984 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Eastside Community Investments, Inc. or a partnership to be formed by Eastside Community Investments, Inc. (the "Company"); and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution and it is desirable to place an expiration date on the previously adopted Special Resolution No. 34, 1984; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 34, 1984 is hereby amended by deleting Section 3 and Section 4 thereof and inserting in lieu thereof the following: **SECTION 3.** In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this body hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12. **SECTION 4.** All costs of the Project incurred after the passage of City-County Special Resolution No. 34, 1984, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 34, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 202, 1985, was adopted on the following roll call vote; viz:

23 AYES: Borst, Boyd, Bradley, Clark, Cottingham, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

NO NAYS

6 NOT VOTING: Campbell, Coughenour, Curry, Howard, Page, Strader

Proposal No. 202, 1985, was retitled SPECIAL RESOLUTION NO. 55, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 55, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 76, 1982 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 76, 1982 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Charles W. Hudson, Milt Lamm and Sherman Heazlitt Partners d/b/a Hotel International (the "Company"); and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution and it is desirable to place an expiration date on the previously adopted Special Resolution No. 76, 1982; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 76, 1982 is hereby amended by deleting Section 3 and Section 4 thereof and inserting in lieu thereof the following: **SECTION 3.** In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this body hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant

to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12. SECTION 4. All costs of the Project incurred after the passage of City-County Special Resolution No. 76, 1982, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 76, 1982 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 203 and 204, 1985. Proposal No. 203, 1985, is a proposal for a special ordinance designating the parcel of land commonly known as 4401 North Keystone Avenue as an economic development target area. Proposal No. 204, 1985, is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Tuchman Cleaners, Inc. in an approximate amount of \$700,000. The Company operates thirty retail dry cleaning establishments in the Indianapolis metropolitan area as well as an industrial uniform rental service. Tuchman Cleaners, Inc. was purchased by Johnson Group, Inc. in 1981 (Johnson Group, Inc. is owned by Johnson Group Cleaners PLC which operates the largest chain of dry cleaning shops in the world. Councillor Schneider explained that the project is to renovate 20,000 square feet

of the Company's existing 44,000 square foot facility at 4401 North Keystone Avenue which will operate as a dry cleaning plant and uniform rental operation. Estimated costs for the \$700,000 project are as follows: \$270,000 building revovation, \$400,000 equipment, and \$30,000 other contingencies. Renovation should begin in May of 1985. The estimated number of additional employment positions at the end of one year total 5 jobs with \$52,000 in additional payroll to the community. The three-year job estimate is 15 positions with \$170,000 in additional payroll. Tuchman reports an annual payroll of \$2,026,000 for an average of 185 positions in 1984. The Economic Development Committee on May 1, 1985, recommended Proposal Nos. 203 and 204, 1985, was adopted on the following roll call vote; viz:

20 AYES: *Borst, Bradley, Clark, Cottingham, Crowe, Dowden, Durnil, Giffin, Hawkins, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

1 NAY: *Holmes*

8 NOT VOTING: *Boyd, Campbell, Coughenour, Curry, Gilmer, Howard, Page, Strader*

Proposal No. 203, 1985, was retitled SPECIAL ORDINANCE NO. 17, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 17, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-12 (as amended by P.L. 40-1983) limits the use of industrial development bonds for financing economic development facilities for retail trade, banking, credit agencies or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on facilities of the same kind operating in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 (as added by P.L. 40-1983) authorizes the City-County Council, after favorable recommendation by the Economic Development

Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 25% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-12-2, as amended, (as added by P.L. 40-1983) indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been declared and confirmed as a redevelopment area before March 31, 1983; under:

- (A) I.C. 36-7-14-15, I.C. 36-7-14-16, and I.C. 36-7-14-17; or
- (B) I.C. 36-7-15.1-8, I.C. 36-7-15.1-9, and I.C. 36-7-15.1-10;

(3) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(4) encompasses buildings, structures, sites, or other facilities that are:

- (A) listed on the national register of historic places establish pursuant to the National Historic Preservation Act of 1966;
- (B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or
- (C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on May 1, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as 4401 North Keystone Avenue, Indianapolis, Indiana, as an Economic Development Target Area which parcels are more specifically described as:

PARCEL NO. 1

Part of the Northwest Quarter of Section 17, Township 16 North, Range 4 East, of the Second Principal Meridian in Marion County, Indiana, more particularly described as follows, to wit:

Beginning at a point on the West line of said Quarter Section, 1354.74 feet South of the Northwest corner thereof, thence East and at right angles to said West line, 342.4 feet to a point in the center of Allisonville Road, thence in a Northeasterly direction along the Center line of said Road 138.77 feet to a point, thence West 421.45 feet to a point in the West line of said Quarter Section, thence South along said West line 114.06 feet to the place of beginning, containing 1 acre more or less.

PARCEL NO. 2

Part of the West half of the Northwest Quarter of Section 17, Township 16 North, Range 4 East, in Marion County, Indiana, more particularly described as follows:

Beginning at a point on the West line of said half quarter Section, distant 1,180.68 feet South of the Northwest corner thereof; running thence East at right angles to said West line 462.1 feet to the center of Allisonville Road; thence Southwesterly along the center of said Road 36.22 feet; thence West parallel to the last described East and West line 441.8 feet to the West line of said half quarter section, thence North along said West line 30 feet to the point of beginning, containing in all 0.31 acres more or less.

PARCEL NO. 3

Part of the West half of the Northwest Quarter of Section 17, Township 16 North, Range 4 East, in Marion County, Indiana, more particularly described as follows:

Beginning at a point on the West line of said half quarter Section, distant 1,240.68 feet South of the Northwest corner thereof; running thence East at right angles to said West line 421.5 feet to the center of Allisonville Road; thence Northeasterly along the center of said Road 36.22 feet; thence West parallel to the last described East and West line 441.8 feet to the West line of said half quarter section; thence South along said West line 30 feet to the point of beginning, containing in all 0.30 acres more or less.

now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the parcels commonly known as 4401 North Keystone Avenue, Indianapolis, Indiana, which are more specifically described as:

PARCEL NO. 1

Part of the Northwest Quarter of Section 17, Township 16 North, Range 4 East, of the Second Principal Meridian in Marion County, Indiana, more particularly described as follows, to wit:

Beginning at a point on the West line of said Quarter Section, 1354.74 feet South of the Northwest corner thereof, thence East and at right angles to said West line, 342.4 feet to a point in the center of Allisonville Road, thence in a Northeasterly direction along the Center line of said Road 138.77 feet to a point, thence West 421.45 feet to a point in the West line of said Quarter Section, thence South along said West line 114.06 feet to the place of beginning, containing 1 acre more or less.

PARCEL NO. 2

Part of the West half of the Northwest Quarter of Section 17, Township 16 North, Range 4 East, in Marion County, Indiana, more particularly described as follows:

Beginning at a point on the West line of said half quarter Section, distant 1,180.68 feet South of the Northwest corner thereof; running thence East at right angles to said West line 462.1 feet to the center of Allisonville Road; thence Southwesterly along the center of said Road 36.22 feet; thence West parallel to the last described East and West line 441.8 feet to the West line of said half quarter section, thence North along said West line 30 feet to the point of beginning, containing in all 0.31 acres more or less.

PARCEL NO. 3

Part of the West half of the Northwest Quarter of Section 17, Township 16 North, Range 4 East, in Marion County, Indiana, more particularly described as follows:

Beginning at a point on the West line of said half quarter Section, distant 1,240.68 feet South of the Northwest corner thereof; running thence East at right angles to said West line 421.5 feet to the center of Allisonville Road; thence Northeasterly along the center of said Road 36.22 feet; thence West parallel to the last described East and West line 441.8 feet to the West line of said half quarter section; thence South along said West line 30 feet to the point of beginning, containing in all 0.30 acres more or less.

meet the requirement imposed by I.C. 36-7-12-2, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 204, 1985, was adopted on the following roll call vote; viz:

21 *AYES: Borst, Boyd, Bradley, Clark, Cottingham, Crowe, Dowden, Durnil, Giffin, Hawkins, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

3 *NAYS: Gilmer, Holmes, Strader*

5 *NOT VOTING: Campbell, Coughenour, Curry, Howard, Page*

Proposal No. 204, 1985, was retitled SPECIAL RESOLUTION NO. 56, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 56, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Tuchman Cleaners, Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, renovate, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, renovation, installation and equipping of an existing building containing approximately 20,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 4401 North Keystone Avenue, Indianapolis, Indiana on approximately one acre of land which will be used by Tuchman Cleaners, Inc. for their dry cleaning and uniform rental business and as its corporate offices (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 5 at the end of one year and 15 at the end of three years) to be achieved by the acquisition, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Seven Hundred Thousand Dollars (\$700,000) under the Act to be privately placed and subject to the Project site being declared an Economic Development Target Area pursuant to I.C. 36-7-12 for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to Tuchman Cleaners, Inc. (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, renovation, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instru-

ments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 205, 1985. This proposal is for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Allied Grocers of Indiana, Inc. in an approximate amount of \$4,500,000. Allied Grocers is a wholesaler grocery distributor. The Company presently has a 187,000 square foot grocery warehouse located at 801 South Emerson. The refrigerated areas are inadequate to accomodate the additional volume occasioned by the Lowell's Discount Foods business. The project is to acquire an existing 180,000 square foot building at 51 South State Street which is vacant. Annual warehouse volume of Allied is currently about \$100,000,000 and with the business from Lowell's Discount Foods, it will be approximately \$200,-

000,000 annually. Estimated costs for the \$4,500,000 project are as follows: \$1,100,000 buildings, \$2,800,000 equipment, and \$400,000 rehabilitation, and \$200,000 other contingencies. Remodeling should begin in July of 1985. The estimated number of additional employment positions at the end of one year total 60 jobs with \$1,500,000 in additional payroll to the community. The three-year job estimate is 60 positions with \$2,000,000 in additional payroll. Allied Grocers reports an annual payroll of \$4,200,000 for 179 employees. The Economic Development Committee on May 1, 1985, recommended Proposal No. 205, 1985, Do Pass by a vote of 5-0-1. Councillor Schneider moved, seconded by Councillor Howard for adoption. Proposal No. 205, 1985, was adopted on the following roll call vote; viz:

21 AYES: *Borst, Boyd, Bradley, Clark, Cottingham, Dowden, Durnil, Giffin, Gilmer, Hawkins, Howard, Journey, McGrath, Miller, Nickell, Rhodes, Schneider, SerVaas, Stewart, Strader, West*

NO NAYS

8 NOT VOTING: *Campbell, Coughenour, Crowe, Curry, Holmes, Page, Rader, Shaw*

Proposal No. 205, 1985, was retitled SPECIAL RESOLUTION NO. 57, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 57, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Allied Grocers of Indiana, Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, renovate, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, renovation, installation and equipping of an existing warehouse containing approximately 180,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 51 South State Street, Indianapolis, Indiana on approximately 12 acres of land which will be used by Allied Grocers of Indiana, Inc. in its business as a wholesale grocery distribution warehouse (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 60 at the end of one year and 60 at the end of three years) to be achieved by the acquisition, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Four Million Five Hundred Thousand Dollars (\$4,500,000) under the Act to be privately placed for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to Allied Grocers of Indiana, Inc. (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, renovation, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution

expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 208, 1985. This is a proposal for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Voluntary Enterprises, Inc. or its corporate or partnership designee in an approximate amount of \$16,652,000. Councillor Schneider explained that the project involves the construction of a retirement/nursing care center for the elderly in two phases on Community Health Campus North at the southeast corner of Shadeland Avenue and 82nd Street on approximately 16.68 acres. Land will be leased from Community Health Services Foundation, Inc. (Tracts 6 and 7). The project will have two phases:

Phase I: Rental apartment residential living units for the elderly. There will be approximately 120 apartments totalling about 140,000 square feet. Ancillary services will be offered in addition to in-house nursing twenty-four hours per day. Each resident will be assured space in the nursing care facility should the need arise. Estimated costs for the \$12.48 million project are as follows: \$8.9 million building, \$1.48 million equipment, and \$2.1 million miscellaneous expenses. The estimated number of additional employment positions at the end of one year total

30 jobs with \$375,000 in additional payroll to the community. The three-year job estimate is 43 positions with \$580,000 in additional payroll.

Phase II: Personal care (approximately 15 beds), intermediate nursing care (approximately 30 beds), and skilled nursing care (approximately 30 beds), as part of the retirement living center for the elderly. Each resident will be assured space in the personal nursing care facility. Estimated costs for the \$4,172,000 project are as follows: \$2,765,000 building, \$684,000 equipment, and \$723,000 miscellaneous expenses. Construction should begin in May of 1986 with occupancy by March of 1987. The estimated number of additional employment positions at the end of one year total 38 jobs with \$350,000 in additional payroll to the community. The three-year job estimate is 56 positions with \$595,000 in additional payroll. The Economic Development Committee on May 1, 1985, recommended Proposal No. 208, 1985, Do Pass by a vote of 4-2. Councillor Schneider moved, seconded by Councillor Howard for adoption. Proposal No. 208, 1985, was adopted on the following roll call vote; viz:

20 AYES: *Borst, Boyd, Bradley, Cottingham, Crowe, Durnil, Giffin, Gilmer, Hawkins, Howard, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West*

2 NAYS: *Journey, Stewart*

7 NOT VOTING: *Campbell, Clark, Coughenour, Curry, Dowden, Holmes, Page*

Proposal No. 208, 1985, was retitled SPECIAL RESOLUTION NO. 58, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 58, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Voluntary Enterprises, Inc., or partnership in which Voluntary Enterprises, Inc. is a partner or a corporation in which Voluntary Enterprises, Inc. is a shareholder (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company

for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a two phase development to be located on approximately 16.68 acres of land (Tracts 6 and 7) situated in Community Health Campus North located at the southeast corner of 82nd Street and Shadeland Avenue, Indianapolis, Indiana; Phase I of which will be approximately 120 units of multi-family residential rental units for the elderly contained within a structure of structures having approximately 140,000 total gross square feet of space which will also have space for meals, housekeeping, laundry and linen services; and Phase II of which will contain approximately 30,000 square feet of space which will be used for a personal/intermediate-/skilled care nursing facility containing a total of approximately 75 beds and the machinery and equipment to be installed therein plus certain improvements (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 30 for Phase I and 38 for Phase II at the end of one year and 43 for Phase I and 56 for Phase II at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of a total of Sixteen Million Six Hundred Fifty-two Thousand Dollars (\$16,652,000) [Twelve Million Four Hundred Sixty Thousand Dollars (12,460,000) for Phase I and Four Million One Hundred Seventy-two Thousand Dollars (\$4,172,000) for Phase II] under the Act to be privately placed for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Voluntary Enterprises, Inc. or partnership in which Voluntary Enterprises, Inc. is a partner or a corporation in which Voluntary Enterprises, Inc. is a shareholder (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

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SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 209, 1985. This is a proposal for an inducement resolution authorizing "permanent" financing for a to be formed Indiana Limited Partnership in which Haskel W. Prock will be a general Partner in an approximate amount of \$5,000,000. Councillor Schneider explained that the project is to construct a 140 unit multi-family residential rental development in fifteen buildings plus the construction of a community building to be located in the 5800 block of West

Morris Street (northeast corner of Hardin Boulevard and Morris Street) on approximately 12.5 acres. Estimated costs for the \$5 million project are as follows: \$260,000 land, \$3,610,000 buildings, \$400,000 debt service reserve, \$100,000 contingency fees, and \$630,000 finance fees, construction interest, and architectural and engineering fees. Construction should begin in July of 1986 with occupancy by January of 1986. Construction payroll should be approximately \$1,440,000. The estimated number of additional employment positions at the end of one year total 5 full-time jobs and 12-16 part-time jobs with \$276,000 in additional payroll to the community. The Economic Development Committee on May 1, 1985, recommended Proposal No. 209, 1985, Do Pass by a vote of 5-0-1. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 209, 1985, was adopted on the following roll call vote; viz:

19 AYES: Boyd, Bradley, Cottingham, Crowe, Durnil, Giffin, Gilmer, Hawkins, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

10 NOT VOTING: Borst, Campbell, Clark, Coughenour, Curry, Dowden, Holmes, Howard, Page, Schneider

Proposal No. 209, 1985, was retitled SPECIAL RESOLUTION NO. 59, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 59, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, a to be formed Indiana limited partnership in which Haskell W. Prock is a general partner (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to provide financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of approximately 140 units of multi-family residential rental housing having 15 individual buildings having a total gross building area of approximately 107,348 square feet not including the community building and the machinery and equipment to be installed therein plus certain site improvements to be located at the northeast corner of West

Morris Street and Hardin Boulevard on approximately 12.52 acres of land, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 5 full time and 12 to 16 part-time at the end of one year and at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Five Million Dollars (\$5,000,000) under the Act to be privately placed to provide financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to a to be formed Indiana limited partnership in which Haskel W. Prock is a general partner (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or addi-

tions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 210, 1985. This is a proposal for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Middle Atlantic Warehouse Distributor, Inc./Indianapolis and/or Clarit Realty, Ltd. in an approximate amount of \$500,000. Councillor Schneider stated that the project will be used by Middle Atlantic Warehouse Distributor, Inc./Indianapolis who is a wholesale distributor of automotive parts to independent automotive parts jobbers. The Company is currently located at 452 Indiana Avenue in leased space, and the project is to construct a 32,000 square foot building at Post Road and 33rd Street on approximately 3.5 acres. Estimated costs for the \$725,000 million project are as follows: \$125,000 land, \$475,000 buildings, \$125,000 equipment and other contingencies. Construction should begin in June of 1985 with occupancy by November of 1985. The estimated number of additional employment positions at the end of one year total 5 positions with \$225,000 in additional payroll to the community. The three-year job estimate is 15 positions with \$175,000 in additional payroll. The Company reports a current annual payroll of \$225,000 for 15 employees. The Economic Development Committee on May 1, 1985, recommended Proposal No. 210, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Stewart for adoption. Proposal No. 210, 1985, was adopted on the following roll call vote; viz:

24 AYES: Borst, Boyd, Bradley, Clark, Cottingham, Crowe, Dowden, Durnil, Giffin, Gilmer, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

5 NOT VOTING: *Campbell, Coughenour, Curry, Hawkins, Page*

Proposal No. 210, 1985, was retitled SPECIAL RESOLUTION NO. 60, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 60, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Middle Atlantic Warehouse Distributor, Inc./Indianapolis and/or Clarit Realty, Ltd. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a new building containing approximately 32,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at East 33rd Street and Post Road, Indianapolis, Indiana on approximately 3.5 acres of land which will be used by Middle Atlantic Warehouse Distributor, Inc./Indianapolis in its business as an automotive aftermarket wholesale parts distributor who distributes to independent automotive parts jobbers (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 5 at the end of one year and 15 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health,

safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Five Hundred Thousand Dollars (\$500,000) under the Act to be privately placed for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Middle Atlantic Warehouse Distributor, Inc./Indianapolis and/or Clarit Realty, Ltd. (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 211, 1985. This proposal is for an inducement resolution authorizing interim (construction) financing for a to be formed Indiana Limited Partnership in which William B. Moore and Harold D. Bower will be general partners in an approximate amount of \$8,000,000. Councillor Schneider explained that the project is to construct a continuing care retirement complex comprised of one or more midrise buildings containing a total of approximately 150 one-bedroom and two-bedroom multi-family residential rental units for the elderly, to be located close to University Heights Hospital near U.S. 31 south of I-465 on approximately 6.8 acres of land. Estimated costs for the project are as follows: \$300,000 land, and \$7.7 million building and equipment. The estimated number of additional employment positions at the end of one year total 7 positions with \$107,000 in additional payroll to the community. The three-year job estimate is also 7 positions with \$125,000 in additional payroll. The Economic Development Committee on May 1, 1985, recommended Proposal No. 211, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 211, 1985, was adopted on the following roll call vote; viz:

18 AYES: *Boyd, Bradley, Clark, Crowe, Dowden, Durnil, Hawkins, Howard, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

6 NAYS: *Borst, Cottingham, Giffin, Gilmer, Holmes, Strader*

5 NOT VOTING: *Campbell, Coughenour, Curry, Journey, Page*

Proposal No. 211, 1985, was retitled SPECIAL RESOLUTION NO. 61, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 61, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, a to be formed Indiana limited partnership in which William B. Moore and Harold D. Bower will be general partners (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a continuing care retirement complex comprised of one or more midrise buildings containing a total of approximately 150 one bedroom (approximately 650 square feet) and two bedroom (approximately 850 square feet) multi-family residential rental units for the elderly and the machinery and equipment to be installed therein plus certain site improvements to be located in Indianapolis, Marion County, Indiana near University Heights Hospital near U.S. 31 south of I-465 on approximately 6.8 acres of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 7 at the end of one year and 7 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Eight Million Dollars (\$8,000,000) under the Act to be privately placed for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to a to be formed Indiana limited partnership in which William B. Moore and Harold D. Bower will be general partners (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such

actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 212, 1985. This is a proposal for an inducement resolution authorizing financing for a to be formed Indiana Limited Partnership in which William B. Moore and Harold D. Bower will be general partners in an approximate amount of \$12,000,000. The project is to construct a continuing care retirement complex comprised of one or more midrise buildings containing a total of approximately 190 one-bedroom and two-bedroom multi-family residential rental units for the elderly to be located near St. Vincent's Hospital near Township Line Road and I-465 on approximately 6 acres of land. Estimated costs

for the project are as follows: \$600,000 land, and \$11.4 million building and equipment. The estimated number of additional employment positions at the end of one year total 7 positions with \$107,000 in additional payroll to the community. The three-year job estimate is also 7 positions with \$125,000 in additional payroll. The Economic Development Committee on May 1, 1985, recommended Proposal No. 212, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Stewart for adoption. Proposal No. 212, 1985, was adopted on the following roll call vote; viz:

18 AYES: Boyd, Bradley, Clark, Crowe, Dowden, Hawkins, Howard, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

5 NAYS: Borst, Cottingham, Giffin, Gilmer, Holmes

6 NOT VOTING: Campbell, Coughenour, Curry, Durnil, Journey, Page

Proposal No. 212, 1985, was retitled SPECIAL RESOLUTION NO. 62, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 62, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, a to be formed Indiana limited partnership in which William B. Moore and Harold D. Bower will be general partners (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a continuing care retirement complex comprised of one or more midrise buildings containing a total of approximately 190 one bedroom (approximately 650 square feet) and two bedroom (approximately 850 square feet) multi-family residential rental units for the elderly and the machinery and equipment to be installed therein plus certain site improvements to be located in Indianapolis, Marion County, Indiana near St. Vincent's Hospital near Township Line Road and I-465 on approximately 6 acres of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 7 at the end of one year and 7 at the

end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Twelve Million Dollars (\$12,000,000) under the Act to be privately placed for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to a to be formed Indiana limited partnership in which William B. Moore and Harold D. Bower will be general partners (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 213, 1985. This proposal is for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for a to be formed Indiana Limited Partnership in which William B. Moore and Harold D. Bower will be general partners in an approximate amount of \$8,000,000. The project is to construct a continuing care retirement complex comprised of one or more midrise buildings containing a total of approximately 110 one-bedroom and two-bedroom multi-family residential rental units for the elderly to be located in the vicinity of Methodist Hospital of Indiana, Inc., on approximately 1.1 acres of land. Estimated costs for the project are as follows: \$600,000 land, and \$8 million building and equipment. The estimated number of additional employment positions at the end of one year total 7 positions with \$107,000 in additional payroll to the community. The three-year job estimate is also 7 positions with \$125,000 in additional payroll. Councillor Schneider stated that market studies indicate a great need for elderly housing complexes. About 48.12% of the nation's population is 55 years of age or older, and about 40% of the population in Marion County is in that same age group. Monthly rental rates for all three projects are estimated to be approximately \$400-\$500 for three-story buildings and \$640-\$720 for seven to nine-story buildings. These rates are considered to be targeted for middle income elderly persons. The Economic Development Committee on May 1, 1985, recommended Proposal No. 213, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Stewart for adoption. Proposal No. 213, 1985, was adopted on the following roll call vote; viz:

17 AYES: Boyd, Bradley, Clark, Crowe, Dowden, Howard, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

5 NAYS: Borst, Cottingham, Giffin, Gilmer, Holmes

7 NOT VOTING: Campbell, Coughenour, Curry, Durnil, Hawkins, Journey, Page

Proposal No. 213, 1985, was retitled SPECIAL RESOLUTION NO. 63, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 63, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, a to be formed Indiana limited partnership in which William B. Moore and Harold D. Bower will be general partners (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, renovate, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, renovation, installation and equipping of a continuing care retirement complex comprised of one or more midrise buildings containing a total of approximately 110 one bedroom (approximately 650 square feet) and two bedroom (approximately 850 square feet) multi-family residential rental units for the elderly and the machinery and equipment to be installed therein plus certain site improvements to be located at in the vicinity of Methodist Hospital of Indiana, Inc. in Indianapolis, Marion County, Indiana on approximately 1.1 acres of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 7 at the end of one year and 7 at the end of three years) to be achieved by the acquisition, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health,

safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Eight Million Dollars (\$8,000,000) under the Act to be privately placed for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to a to be formed Indiana limited partnership in which William B. Moore and Harold D. Bower will be general partners (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, renovation, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 234-240, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metro-

politan Development Commission on April 19, 1985". Councillor Nickell requested that Proposal No. 239, 1985, be held in Council to allow time for additional inquiries. Consent was given to hold Proposal No. 239, 1985, for public hearing at the next meeting. No action was taken on Proposal Nos. 234-238 and 240, 1985, by the Council and the Proposals were deemed adopted. Proposal Nos. 234-238 and 240, 1985, were retitled REZONING ORDINANCE NOS. 46-51, 1985, and read as follows:

REZONING ORDINANCE NO. 46, 1985 85-Z-27 WAYNE TOWNSHIP

COUNCILMANIC DISTRICT NO. 17

705 NORTH LYNHURST DRIVE, INDIANAPOLIS

Larry Summers and Don C. Skiles, by Thomas A Deal, request the rezoning of 14.45 acres, being in the A-2 district, to the I-2-U classification, to provide for light industrial development.

REZONING ORDINANCE NO. 47, 1985 85-Z-30 WAYNE TOWNSHIP

COUNCILMANIC DISTRICT NO. 8

3406 LAFAYETTE ROAD, INDIANAPOLIS

Clark Oil & Refining Corporation, by Max Kennedy, requests the rezoning of 0.29 acre, being in the D-4 district, to the C-3 classification, to conform zoning to its use as a gas station and to install a fourth pump island and a canopy.

REZONING ORDINANCE NO. 48, 1985 85-Z-31 LAWRENCE TOWNSHIP

COUNCILMANIC DISTRICT NO. 5

7131 PENDLETON PIKE, INDIANAPOLIS

Clark Oil & Refining Corporation, by Max Kennedy, requests the rezoning of 0.56 acre, being in the D-5 district, to the C-4 classification, to conform zoning to its use as a gas station and to install a fourth pump.

REZONING ORDINANCE NO. 49, 1985 85-Z-32A PIKE TOWNSHIP

COUNCILMANIC DISTRICT NO. 1

7401 GEORGETOWN ROAD, INDIANAPOLIS

Guernsey Van Riper, by Stephen D. Mears, requests the rezoning of 58.9 acres, being in the D-3 district, to the I-2-S classification, to provide for light industrial development.

REZONING ORDINANCE NO. 50, 1985 85-Z-32B PIKE TOWNSHIP

COUNCILMANIC DISTRICT NO. 1

7702 GEORGETOWN ROAD, INDIANAPOLIS

Lee A. Burton, by Stephen D. Mears, requests the rezoning of approximately 26 acres, being in the A-2 district, to the I-3-S classification, to provide for industrial development.

REZONING ORDINANCE NO. 51, 1985 85-Z-36 WARREN TOWNSHIP

COUNCILMANIC DISTRICT NO. 13

655 NORTH GERMAN CHURCH ROAD, INDIANAPOLIS

Ralph B. and Ray B. Smith, by Stephen D. Mears, request the rezoning of 8.00 acres, being in the C-1 and C-3 districts, to the D-7 classification, to provide for multi-family residential development.

PROPOSAL NO. 241, 1985. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A REZONING ORDINANCE certified by the Metropolitan Development Commission on April 26, 1985". No action was taken on Proposal No. 241, 1985, by the Council and the proposal was deemed adopted. Proposal No. 241, 1985, was retitled REZONING ORDINANCE NO. 52, 1985, and reads as follows:

**REZONING ORDINANCE NO. 52, 1985 84-Z-184 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21
1340 SOUTH SHELBY STREET, INDIANAPOLIS**

Bernard and Helen Sadowsky, by John W. Tousley, request the rezoning of 0.41 acre, being in the C-2 district, to the C-5 classification, to provide for the continued use of a gas station as an auto repair garage.

PROPOSAL NO. 242, 1985. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A REZONING ORDINANCE certified by the Metropolitan Development Commission on May 2, 1985". No action was taken on Proposal No. 242, 1985, by the Council and the proposal was deemed adopted. Proposal No. 242, 1985, was retitled REZONING ORDINANCE NO. 53, 1985, and reads as follows:

**REZONING ORDINANCE NO. 53, 1985 84-Z-149 (84-DP-12) WASHINGTON
TOWNSHIP
COUNCILMANIC DISTRICT NO. 4
5401 EAST 71ST STREET, INDIANAPOLIS**

Kirkpatrick Development, Inc., by Dixon B. Dann, requests the rezoning of 22.50 acres, being in the A-2 district, to the D-P classification, to provide for a planned unit development with not more than 90 zero lotline single family residential units.

PROPOSAL NOS. 243-253, 1985. Introduced by Councillor Borst. The Clerk read the proposal entitled: "REZONING ORDINANCES and GENERAL ORDINANCE certified by the Metropolitan Development Commission on May 2, 1985". Councillor Borst requested that Proposal Nos. 244 and 245, 1985, be held in Council until additional commitments have been filed with the Division of Development Services. Consent was given to hold Proposal No. 244 and 245, 1985, for public hearing at the next meeting. No action was taken on Proposal Nos. 243 and 246-253, 1985, by the Council and the Proposals were deemed adopted. Proposal Nos. 243 and 246-253, 1985, were retitled GENERAL ORDINANCE NO. 30, 1985 and REZONING ORDINANCE NOS. 54-61, 1985, consecutively, and read as follows:

GENERAL ORDINANCE NO. 30, 1985 84-AO-5

The Metropolitan Development Commission of Marion County, Indiana, proposes amendment to said Marion County Council Ordinance No. 8-1957, as amended, the COMPREHENSIVE ZONING MAPS OF MARION COUNTY, INDIANA, adopted as an amendment thereto by Ordinance 81-AO-3, by the adoption of Ordinance 84-AO-5, AMENDING THE COMPREHENSIVE ZONING MAPS OF MARION COUNTY, INDIANA, updating said MAPS to include subsequent rezonings.

**REZONING ORDINANCE NO. 54, 1985 85-Z-13 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 14
7998 EAST 10TH STREET, INDIANAPOLIS**

East 10th Street Church of God requests the rezoning of 2.65 acres, being in the D-3 district, to the SU-1 classification, to conform zoning to its use as a church and to permit future expansion.

**REZONING ORDINANCE NO. 55, 1985 85-Z-24 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 6
8490 UNION CHAPEL ROAD, INDIANAPOLIS**

Thomas I. Wood, by Lawrence E. Lawhead, requests the rezoning of 1.8 acres, being in the A-2 district, to the C-1 classification, to provide for the construction of a 15,000 square foot office building.

**REZONING ORDINANCE NO. 56, 1985 85-Z-39 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 12
2531 NORTH BOLTON AVENUE, INDIANAPOLIS**

Jerald L. Reese, by T.E. Cunningham, requests the rezoning of 1.15 acres, being in the D-3 district, to the C-5 classification, to provide for an automobile body shop.

**REZONING ORDINANCE NO. 57, 1985 85-Z-41 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
1402 WEST HANNA AVENUE, INDIANAPOLIS**

Eagle Industries, by Philip A. Nicely, request the rezoning of 8.53 acres, being in the I-3-U and D-3 districts, to the I-5-S classification, to provide for the manufacturing of prefabricated wood buildings and structural building components with related outside storage.

**REZONING ORDINANCE NO. 58, 1985 85-Z-42 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
8431 CASTLEWOOD DRIVE, INDIANAPOLIS**

Edward L. McVay, by Philip A. Nicely, requests the rezoning of 5.7 acres, being in the C-4 district, to the C-S classification, to provide for the development of commercial, office and industrial park.

**REZONING ORDINANCE NO. 59, 1985 85-Z-45 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
4319 EAST STOP 11 ROAD, INDIANAPOLIS**

Metropolitan School District of Perry Township, by Louis H. Borgmann, requests the rezoning of approximately 45 acres, being in the A-2 district, to the SU-2 classification, to provide for the construction of an elementary school.

**REZONING ORDINANCE NO. 60, 1985 85-Z-46 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
7510 OAKLANDON ROAD, INDIANAPOLIS**

Far Hill Downs Land Corporation, by Douglas R. Whitson, requests the rezoning of 61.35 acres, being in the A-2 district, to the D-3 classification, to provide for residential use by platting.

**REZONING ORDINANCE NO. 61, 1985 85-Z-63 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20**

3901 SOUTH KEYSTONE AVENUE, INDIANAPOLIS

Garfield Limited Partnership, by John W. Van Buskirk, requests the rezoning of 3.4 acres, being in the C-4 district, to the C-1 classification, to provide for the construction of a nursing home.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 168, 1985. This proposal appropriates \$100,000 for the City Legal Division for contractual legal services. President SerVaas requested that since Councillor Coughenour, Chairman of the Administration Committee, was not present and Proposal No. 168, 1985, has not been heard in Committee, that Proposal No. 168, 1985, be postponed until the May 20, 1985, Council meeting. Consent was given to this request.

PROPOSAL NO. 170, 1985. This proposal appropriates \$20,224 for various County Agencies to hire students for the summer months which will be 50% reimbursed. Councillor Cottingham requested that Proposal No. 170, 1985, be postponed until the May 20, 1985, Council meeting. Consent was given to this request.

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 154, 1985. This proposal recommends that the Council sponsor and arrange a formal forum-symposium on waste disposal. Councillor West, Chairman of the Public Works Committee, stated that he had been working with the sponsor of this proposal, Councillor Boyd, on a compromise that would accomplish what Councillor Boyd had intended but not give those companies preparing proposals to submit to the City on the mass-burn technology an uncertain impression. Councillor Boyd stated that as the sponsor of Proposal No. 154, 1985, he was withdrawing the proposal with the understanding that a public hearing would be held on May 30, 1985, at which testimony would be heard on

the following two areas: a) Methods for increasing household participation in recycling to reduce the community's waste stream; and b) Solid waste disposal strategies for the entire Indianapolis solid waste stream.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 157, 1985. This proposal is a final bond ordinance authorizing the issuance of \$500,000 Economic Development Revenue Bonds for Pakway Container Corporation. Councillor Schneider reviewed the project as the purchase and installation of a straight line gluer machine which folds and glues packaging material and certain other equipment to be installed at Pakway's existing plant at 2051 Sherbrook Avenue. The Company is in the business of manufacturing and distributing corrugated boxes and packaging materials. Councillor Schneider stated that the Council was viewing an amended version of the proposal. Bond financing contains the following documents: Bond Purchase Agreement with American Fletcher National Bank, First Supplemental Loan Agreement, Mortgage and Security Agreement, and Promissory Note. The interest rate will be 75% of AFNB's prime rate of interest and will be paid quarterly commencing August, 1, 1985. The principal payment of \$17,857.14 will also be paid quarterly commencing August 1, 1985, with the final payment due May 1, 1992. The Economic Development Committee on May 1, 1985, recommended Proposal No. 157, 1985, Do Pass As Amended by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 157, 1985, as amended, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Clark, Cottingham, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Campbell, Coughenour, Curry, Page*

Proposal No. 157, 1985, as amended, was retitled SPECIAL ORDINANCE NO. 18, 1985 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 18, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series 1985 (Pakway Container Corporation Project)"

in the principal amount of Five Hundred Thousand Dollars (\$500,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report and a supplemental report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Pakway Container Corporation and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, Special Resolution No. 6, 1984 adopted on January 17, 1984 (the "Inducement Resolution") was adopted in an amount of \$1,900,000 and portions of the economic development facilities to be developed which were encompassed by the Inducement Resolution have not yet been funded by economic development revenue bond proceeds of the City of Indianapolis; and

WHEREAS, the City has previously issued its Economic Development Revenue Bond (Pakway Container Corporation Project) in the principal amount of Five Hundred Fifty Thousand Dollars (\$550,000) to provide funds to finance certain electrical, mechanical, and structural work and installation of equipment at the company's plant located at 1255 Roosevelt Avenue, Indianapolis, Indiana for use in the company's business of manufacturing and distributing corrugated boxes and packaging materials; and

WHEREAS, the Indianapolis Economic Development Commission, after public hearings conducted on April 3, 1985 and May 1, 1985, adopted Resolutions which Resolutions have been previously transmitted hereto, finding that the supplemental financing of certain additional economic development facilities to be developed by Pakway Container Corporation (the "Company") consisting of the acquisition and installation of a straight line gluer machine which folds and glues packaging material plus certain other equipment which will be used in the company's business of manufacturing and distributing corrugated boxes and packaging materials plus certain site improvements to be located at 2051 Sherbrook Avenue, Indianapolis, Indiana (the "Project") which will be initially owned and operated by Pakway Container Corporation complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Bond Purchase Agreement, First Supplemental Loan Agreement, Mortgage and Security Agreement, Promissory Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (Pakway Container Corporation Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the supplemental financing of the additional economic development facilities referred to in the First Supplemental Loan Agreement consisting of the acquisition and installation of a straight line gluer machine which folds and glues packaging material plus certain other equipment which will be used in the company's business of manufacturing and distributing corrugated boxes and packaging materials plus certain site improvements to be located at 2051 Sherbrook

Avenue, Indianapolis, Indiana previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bond, the loan of the net proceeds thereof to Pakway Container Corporation for the purposes of financing the additional economic development facilities being acquired and installed or to be acquired and installed in Indianapolis, Indiana, and the repayment of said loan by Pakway Container Corporation will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Bond Purchase Agreement, First Supplemental Loan Agreement, Mortgage and Security Agreement, Promissory Note and the form of the City of Indianapolis Economic Development Revenue Bond, Series 1985 (Pakway Container Corporation Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Bond Purchase Agreement, First Supplemental Loan Agreement, Mortgage and Security Agreement, Promissory Note and the form of the City of Indianapolis Economic Development Revenue Bond, Series 1985 (Pakway Container Corporation Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bond, Series 1985 (Pakway Container Corporation Project) in the principal amount of Five Hundred Thousand Dollars (\$500,000) for the purpose of procuring funds to loan to Pakway Container Corporation in order to finance the additional economic development facilities, heretofore referred to as the Project, which is more particularly set out in the First Supplemental Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Pakway Container Corporation on its Promissory Note in the principal amount of Five Hundred Thousand Dollars (\$500,000), which will be executed and delivered by Pakway Container Corporation to evidence and secure said loan, and as otherwise provided in the above described Bond Purchase Agreement and First Supplemental Loan Agreement, Mortgage and Security Agreement. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bond to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest equal to seventy-five percent (75%) of the prime rate established by American Fletcher National Bank and Trust Company at its principal office from time to time, such rate to change effective contemporaneously with each change in such bank's prime rate, but in no case to exceed thirty percent (30%) per annum, and provided further that the interest rate may increase to the Taxable Rate (as defined in the First Supplemental Loan Agreement) if there occurs a Determination of Taxability (as defined in the First Supplemental Loan Agreement).

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Bond Purchase Agreement, First Supplemental Loan Agreement, Mortgage and Security Agreement, the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (Pakway Container Corporation Project), and the Endorsement to the Promissory Note approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City

Controller are authorized to arrange for the delivery of such Bond to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Bond Purchase Agreement. The Mayor and City Clerk may by their execution of the Bond Purchase Agreement, First Supplemental Loan Agreement, Mortgage and Security Agreement, the Endorsement to the Promissory Note and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in the Promissory Note without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Bond Purchase Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bond, Series 1985 (Pakway Container Corporation Project) and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 162, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for John Loudermilk and Geneva P. Loudermilk in an approximate amount of \$2,100,000. Councillor Schneider stated that the Council was viewing an amended version of Proposal No. 162. He described the project as the construction of two new structures containing approximately 20,000 square feet (terminal building) and 27,500 square feet (warehouse) respectively to be located at 5700 West Minnesota Street on approximately 8.1 acres. The new structures would be occupied by Schaller Trucking Corporation and R & H Trucking Corporation, affiliates of the applicant. In addition, the Company will renovate two existing structures (garage and warehouse totalling 37,650 square feet) at this site plus pave all unpaved areas at the site. Controlled Temperature Trucking and Cramer Warehouse, Inc. will occupy the two existing structures. Councillor Schneider noted that the Economic Development Commission included a stipulation in their recommendation that the bonds be privately placed. Estimated costs for the \$2,078,275 project are as follows: \$320,000 land, \$909,500 new buildings, \$250,000 equipment, \$500,000 paving/remodeling, and \$98,775 miscellaneous expenses. Construction should begin May 1, 1985, with a completion date of August 30, 1985. The estimated number of additional employment positions at the end of one year for R & H Trucking total 149 jobs with \$700,000 in additional payroll to the community. The three-year job estimate is 223 positions with \$1,500,000 in additional payroll. The Economic Development

Committee on May 1, 1985, recommended Proposal No. 162, 1985, Do Pass As Amended by a vote of 5-1. Councillor Schneider moved, seconded by Councillor Stewart for adoption. Proposal No. 162, 1985, as amended, was adopted on the following roll call vote; viz:

22 AYES: *Borst, Bradley, Clark, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

1 NAY: *Howard*

6 NOT VOTING: *Boyd, Campbell, Cottingham, Coughenour, Curry, Page*

Proposal No. 162, 1985, as amended, was retitled SPECIAL RESOLUTION NO. 64, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 64, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, John Loudermilk and Geneva P. Loudermilk (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, renovate, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, renovation, installation and equipping of an existing garage containing approximately 10,150 square feet and an existing warehouse containing approximately 27,500 square feet by replacing and renovating their roof, heating and ventilation systems plus other general improvements and the paving of all unpaved surface areas all of which are used by Controlled Temperature Trucking and Cramer Warehouse, Inc. (both are unaffiliated with the Company) in warehouse, truck terminal, distribution center operations and to proceed with the acquisition, construction, installation and equipping of a new terminal building containing approximately 20,000 square feet and a new warehouse building containing approximately 27,500 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 5700 West Minnesota, Indianapolis, Indiana on approximately 8.1 acres of land which will be used by R & H Trucking Corporation and Schaller Trucking Corporation in their businesses as motor freight carriers (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 149 at the end of one year and 223 at the end of three years) to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Two Million One Hundred Thousand Dollars (\$2,100,000) under the Act to be privately placed and subject to the requirement that the Company or related parties will initially occupy at least 60% of the gross area of the Project for the acquisition, renovation, construction, installation and equipping of the Project and the sale or leasing of the Project to John Loudermilk and Geneva P. Loudermilk (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, renovation, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds,

for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 220, 1985. This proposal approves the leasing of certain real estate by the Department of Parks and Recreation. Councillor Durnil explained that this is 56 acres of farmland and the reason for the rush to approve Proposal No. 220, is due to the nice weather and the farmer that was awarded the bid wants to get busy in the fields. The Parks and Recreation Committee on April 25, 1985, recommended Proposal No. 220, 1985, Do Pass by a vote of 6-0. Councillor Durnil moved, seconded by Councillor Clark for adoption. Proposal No. 220, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Bradley, Clark, Cottingham, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

5 NOT VOTING: *Boyd, Campbell, Coughenour, Curry, Page*

Proposal No. 220, 1985, was retitled SPECIAL RESOLUTION NO. 65, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 65, 1985

A SPECIAL RESOLUTION approving the leasing of certain real estate of the Department of Parks and Recreation.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council approves, pursuant to I.C. 36-1-11-3 the leasing of the following property by the Department of Parks and Recreation:

<u>Location</u>	<u>Appraised Value</u>	<u>Auction Bid Lease Value</u>	<u>Public Hearing Date</u>
Edgewood Ave. (2 locations) 56 acres	\$100.00 per acre (\$5,600.00)	\$120.00 per acre (\$6,730.00)	July 7, 1982

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL SERVICE DISTRICT COUNCILS

There being no business before any of the Special Service District Councils, none of the Special Service District Councils convened.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business and upon motion duly made and seconded, the meeting adjourned at 9:04 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis, Police, Fire and Solid Waste Collection Special Service District Councils on the 6th day of May, 1985.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.


President

ATTEST:


Clerk of the City-County Council

(SEAL)

A

**MINUTES OF THE CITY-COUNTY COUNCIL
AND SPECIAL SERVICE DISTRICT COUNCILS
OF INDIANAPOLIS, MARION COUNTY, INDIANA**

REGULAR MEETINGS - MONDAY, MAY 20, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:06 p.m., on Monday, May 20, 1985, with Councillor SerVaas presiding.

The meeting was opened with a prayer by Pastor Arthur R. Burkham of the Emmanuel Lutheran Church and the Pledge of Allegiance to the Flag by Councillor Stuart W. Rhodes.

ROLL CALL

Councillor SerVaas instructed the Clerk to take the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

Twenty-nine members being present, he announced a quorum was present.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

**TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE,
FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT
COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,
INDIANA:**

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, May 20, 1985, at 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

s/Beurt SerVaas, President
City-County Council

May 7, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on May 9, 1985, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 214, 215, 216, 217, 218, 219, 221, 222, 223, 224, 225, 239, 244 and 245, 1985, to be held on Monday, May 20, 1985, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

May 8, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

SPECIAL ORDINANCE NO. 14, 1985, authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1985 (4V's Project)" in the aggregate principal amount of Seven Hundred Twenty-five Thousand Dollars (\$725,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 15, 1985, authorizing the execution and delivery of an Assignment and Assumption Agreement concerning the previously issued \$2,250,000 City of Indianapolis Economic Development Second Mortgage Revenue Bond, Series 1980 (Paper Art Company, Inc. Project).

SPECIAL ORDINANCE NO. 16, 1985, authorizing the execution and delivery of an Assignment and Assumption Agreement concerning the previously issued Economic Development Revenue Bonds for Paper Art Company, Inc.

SPECIAL ORDINANCE NO. 17, 1985, designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

SPECIAL ORDINANCE NO. 18, 1985, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series 1985 (Pakway Container Corporation Project)" in the principal amount of Five Hundred Thousand Dollars (\$500,000) and approving and authorizing other actions in respect thereto.

SPECIAL RESOLUTION NO. 42, 1985, honoring School No. 92 Special Olympics state basketball champions.

SPECIAL RESOLUTION NO. 43, 1985, in memoriam of French M. Elrod.

SPECIAL RESOLUTION NO. 44, 1985, recommending the renaming of various streets to "Dr. Martin Luther King, Jr. Street."

SPECIAL RESOLUTION NO. 45, 1985, amending City-County Special Resolution No. 53, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 46, 1985, amending City-County Special Resolution No. 103, 1983 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 47, 1985, amending City-County Special Resolution No. 44, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 48, 1985, amending City-County Special Resolution No. 45, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 49, 1985, amending City-County Special Resolution No. 91, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 50, 1985, amending City-County Special Resolution No. 7, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 51, 1985, amending City-County Special Resolution No. 65, 1983 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 52, 1985, amending City-County Special Resolution No. 30, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 53, 1985, amending City-County Special Resolution No. 23, 1983 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 54, 1985, amending City-County Special Resolution No. 34, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 55, 1985, amending City-County Special Resolution No. 76, 1982 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 56, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 57, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 58, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 59, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 60, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 61, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 62, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 63, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 64, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 65, 1985, approving the leasing of certain real estate of the Department of Parks and Recreation.

Respectfully submitted,

s/William H. Hudnut, III

ADOPTION OF AGENDA

Consent was given for the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of May 20, 1985.

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections for the Journal of March 26, 1985. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS --

PROPOSAL NO. 302, 1985. This proposal supports the renovation of the State Soldiers' and Sailors' Monument. Proposal No. 302 is sponsored by Councillors Giffin, SerVaas, Boyd and Hawkins. Councillor Giffin read the resolution and moved for its adoption, seconded by Councillor Gilmer. Proposal No. 302, 1985, was adopted by unanimous voice vote, retitled **SPECIAL RESOLUTION NO. 66, 1985**, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 66, 1985

A SPECIAL RESOLUTION supporting the renovation of the State Soldiers' and Sailors' Monument.

WHEREAS, in 1887 Civil War Veterans received approval from the State of Indiana to build a "State Soldiers" and Sailors' Monument' to honor all of Indiana's war veterans; and

WHEREAS, the Monument, begun in 1889 and completed in 1901, is one of the principal monuments in the nation commemorating Civil War Veterans and one of the very few in our country dedicated to the ordinary soldier; and

WHEREAS, when the State Soldiers' and Sailors' Monument was dedicated in 1902 it was the second highest monument in the world and has since become the symbol of the City of Indianapolis; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis-Marion County City-County Council supports the Governor in his efforts to establish a Committee to oversee the restoration of the appearance and the structural integrity of the State Soldiers' and Sailors' Monument.

SECTION 2. The Council further endorses the Governor's concept of accomplishing such restoration through donations from the general public and encourages all Indianapolis residents to support this effort to save the symbol of our Indianapolis.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 315, 1985. Councillor Clark requested consent of the Council to introduce Proposal No. 315, 1985, which reverses a change in policy on economic development bond financing for multi-family residential housing located outside an economic development target area. He explained that since the policy change, there is now a June 1, deadline to obtain construction and permanent bond financing. Councillor Clark read the resolution, which would allow construction financing but not permanent financing for multi-family residential housing. Councillor Clark moved, seconded by Councillor Giffin for adoption.

After considerable discussion Councillor Borst moved, seconded by Councillor Rhodes, to proceed with the agenda and take up Proposal No. 315 and all proposals affected by Proposal No. 315 at the end of the agenda. Consent was given.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 254, 1985. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing certain proceedings with respect to proposed economic development bond financing for Convention Garage Associates, Inc. in an approximate amount of \$10,000,000"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 291, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$37,000 for the Office of the Director of the Department of Administration to purchase television equipment and lights for the Public Assembly Room"; and the President referred it to the Administration Committee.

PROPOSAL NO. 292, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning licensing requirements for the City"; and the President referred it to the Administration Committee.

PROPOSAL NO. 293, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring

\$13,600 for the Prosecutor's Child Support IV-D Agency for the Summer Tele-marketing Campaign"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 295, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing a Metropolitan Emergency Communications Agency and an Indianapolis Public Safety Communications Commission"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 296, 1985. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing the rules and procedures for the preparation of the 1986 Annual Budget for City and County Government"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 297, 1985. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning vehicle taxes in Marion County"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 298, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing a loading zone on a portion of St. Joseph Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 299, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing intersection controls in Country Walk Subdivision"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 300, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at California and St. Clair Streets"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 301, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls on Lafayette Road and the entrance to Ayr Way"; and the President referred it to the Transportation Committee.

MODIFICATION OF SPECIAL ORDERS

PROPOSAL NO. 303, 1985. Introduced by Councillor Howard. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of Illinois Street"; and the President referred it to the Transportation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 191, 1985. This proposal grants the extension of the expiration date contained in previously adopted Special Resolution No. 92, 1981, for Canal Commons. Councillor Schneider explained that this was a formality to change the expiration date to December 31, 1985. The Economic Development Committee on May 15, 1985, recommended Proposal No. 191, 1985, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Cottingham for adoption. Proposal No. 191, 1985, was adopted on the following roll call vote; viz:

29 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

Proposal No. 191, 1985, was retitled SPECIAL RESOLUTION NO. 67, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 67, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 92, 1981 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 92, 1981 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Canal Commons Associates, an Indiana limited partnership (the "Company"); and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution and it is desirable to place an expiration date on the previously adopted Special Resolution No. 92, 1981; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 92, 1981 is hereby amended by deleting Section 3 and Section 4 thereof and inserting in lieu thereof the following: SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this body hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12. SECTION 4.

All costs of the Project incurred after the passage of City-County Special Resolution No. 92, 1981, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 92, 1981 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 206, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for SMC Pneumatics, Inc. in an approximate amount of \$7,300,000. Councillor Schneider explained that SMC Pneumatics is in the business of importing parts and assembling several lines of pneumatic valves (pneumatically operated air cylinders and directional control air valves) and also imports finished goods consisting of air filters, regulators, lubricators and cylinders. These products are marketed through the United States and Canada. The Economic Development Committee on May 15, 1985, recommended Proposal No. 206, 1985, Do Pass by a vote of 4-1-1. Councillor Schneider moved, seconded by Councillor Howard for adoption.

Councillor Clark stated that he voted against Proposal No. 206, 1985, during the Economic Development Committee meeting because SMC Pneumatics did not list any competitors in its application submitted for the inducement resolution. A survey was conducted through the Council Staff and there were seventeen companies that responded that they manufacture the same type of pneumatic valves and would be adversely affected with the passage of Proposal No. 206.

Proposal No. 206, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey,

McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West

2 NAYS: Clark, Stewart

Proposal No. 206, 1985, was retitled SPECIAL RESOLUTION NO. 68, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 68, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, SMC Pneumatics, Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, renovate, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, renovation, installation and equipping of an existing facility containing approximately 120,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 3011 North Franklin Road, Indianapolis, Marion County, Indiana on approximately 13.125 acres of land which will be used by the Company to distribute and manufacture pneumatically operated "air cylinders" and directional control valves (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 54 at the end of one year and 96 at the end of three years) to be achieved by the acquisition, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health,

safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Seven Million Three Hundred Thousand Dollars (\$7,300,000) under the Act to be privately placed for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to SMC Pneumatics, Inc. (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, renovation, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 196, 1985. This is a proposal for a special resolution granting the extension of the expiration date and modifying the partnership and project description contained in previously adopted Special Resolution No. 102, 1983, for J. Scott Keller Partnership. Councillor Schneider explained that the original resolution described thirteen apartment structures to be renovated and Proposal No. 196, allows five of the renovation projects to be eliminated and two to be added. The Economic Development Committee on May 15, 1985, recommended Proposal No. 196, 1985, Do Pass As Amended by a vote of 4-0. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 196, 1985, as amended, was adopted on the following roll call vote; viz:

29 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

Proposal No. 196, 1985, as amended, was retitled SPECIAL RESOLUTION NO. 69, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 69, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 102, 1983 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, J. Scott Keller, or his assigns (the "Company") has previously advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, renovate, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities were generally described as the acquisition, renovation, installation and equipping of the following existing buildings in Indianapolis, Indiana:

- a) The Saint Clair located at 108 East St. Clair Street containing approximately 16,736 square feet
- b) The McKay located at 611 North Pennsylvania Street containing approximately 21,520 square feet
- c) The Ambassador located at 39 East 9th Street containing approximately 65,169 square feet

- d) The Buschmann Block located at 1034 North College Avenue containing approximately 40,736 square feet
- e) The Dartmouth located at 221 East Michigan Street containing approximately 40,355 square feet
- f) The Explanade located at 3015 North Pennsylvania Street containing approximately 20,000 square feet
- g) The Massachusetts located at 421-429 1/2 Massachusetts Avenue containing approximately 16,072 square feet
- h) The Plaza located at 911 North Pennsylvania Street containing approximately 40,000 square feet
- i) The Raleigh located at 1301 North Pennsylvania Street containing approximately 74,802 square feet
- j) The Lockerbie Court located at 402, 404, 408, 412, 416 New Jersey Street and 332, 334 Vermont Street containing approximately 58,000 square feet
- k) The Murphy Holliday & Wyons located at 30 East Georgia Street and 134-140 South Pennsylvania Street containing approximately 180,000 square feet
- l) The Pontius located at 1433 North Pennsylvania Street containing approximately 60,000 square feet
- m) A building located at 1229 North Pennsylvania Street containing approximately 23,436 square feet
- n) The St. Regis located at 1402 North Pennsylvania Street containing approximately 60,000 square feet

and the machinery and equipment to be installed therein plus certain site improvements which will be leased to tenants for use as multi-family housing units with some incidental commercial use (the "Project"); and

WHEREAS, The Company has advised the City that some of the buildings as originally described in the Project will not be included in the Project and that a building not originally included in the Project description should be added to the Project description so that the revised description of the economic development facilities being financed by the City consists of the acquisition, renovation, installation and equipping of various existing buildings known as:

The Pennsylvania	919 North Pennsylvania Street Indianapolis, Indiana 46204
The Pontius	1433 North Pennsylvania Street Indianapolis, Indiana 46202
The Van Dyke	1229 North Pennsylvania Street Indianapolis, Indiana 46202
The Raleigh	1301 North Pennsylvania Street Indianapolis, Indiana 46202
The Plaza	902 North Pennsylvania Street Indianapolis, Indiana 46204
The Ambassador	39 East 9th Street Indianapolis, Indiana 46204
The Dartmouth	221 East Michigan Street Indianapolis, Indiana 46204

The McKay

611 North Pennsylvania Street
Indianapolis, Indiana 46204

John W. Murphy Building

30 East Georgia Street
Indianapolis, Indiana 46204

Holliday and Wyons Building

133-140 South Pennsylvania Street
Indianapolis, Indiana 46204

and the machinery and equipment to be installed therein plus certain site improvements which will be leased to tenants for use as multi-family residential rental housing with some incidental commercial use (the "Revised Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 11 at the end of one year and three years) to be achieved by the acquisition, renovation, installation and equipping of the Revised Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, it would appear that the financing of the Revised Project would be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the acquisition, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of \$23,000,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, renovation, installation and equipping of the Revised Project and the sale or leasing of the Project to J. Scott Keller or his assigns (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to continue to proceed with the acquisition, renovation, installation and equipping of the Revised Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will

adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Revised Project and for additions to the Revised Project, including the costs of issuance (providing that the financing of such addition or additions to the Revised Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Revised Project incurred after the passage of City-County Special Resolution No. 102, 1983, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Revised Project will be permitted to be included as part of the bond issue to finance said Revised Project, and the City will thereafter see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Revised Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 207, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for American Trans Air, Inc. in an approximate amount of \$10,000,000. Councillor Schneider stated that American Trans Air, Inc. is the largest charter air carrier in the United States. It is in the final phase of fleet conversion to more modern aircraft. The Company's current facilities have become inadequate due to growth of personnel and recent acquisition of eight Boeing 727's and six Lockheed L-1011 aircraft. American Trans Air currently leases 24,000 square feet of office space from the Indianapolis Airport Authority at 2141 South High School Road and leases hangar and maintenance shops (45,000 square feet total) at various locations at the Airport and at Park Fletcher. Councillor Schneider described the project as the construction of approximately 60,000 square feet of hangar space, 45,000 square foot office and 15,000 square foot maintenance and shop space on approximately fifteen acres at the Indianapolis International Airport (northwest quadrant). This will allow maintenance being currently done on aircraft in Los Angeles under contract with TWA to be performed here in Indianapolis by the Company. Estimated costs for the \$10 million project are as follows: \$7 million building, and \$3 million equipment. Construction should

begin in June of 1985 and be complete December 1, 1985. The estimated number of additional employment positions at the end of one year total 90 jobs with \$2.5 million in additional payroll to the community. The three-year job estimate is 440 positions with \$10 million in additional payroll. There will also be numerous construction jobs created by this project. The company reports a current annual payroll of approximately \$20 million for 1,000 employees. The Economic Development Committee on May 15, 1985, recommended Proposal No. 207, 1985, Do Pass As Amended by a 5-0 vote. Councillor Schneider moved, seconded by Councillor Howard for adoption. Proposal No. 207, 1985, as amended, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Rhodes

Proposal No. 207, 1985, as amended, was retitled SPECIAL RESOLUTION NO. 70, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 70, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, American Trans Air, Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of approximately 60,000 square feet of hanger space, 45,000 square feet of office space and 15,000 square feet of shop space and the machinery and equipment to be installed therein plus certain site improvements to be located on the grounds of Indianapolis International Airport, Indianapolis, Indiana on approximately 15 acres of land which will be used by American Trans Air, Inc. in its business as a certified air passenger carrier (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 90 at the end of one year and 440 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Ten Million Dollars (\$10,000,000) under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to American Trans Air, Inc. (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires December 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 265, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Cedar Crossing Apartments of Marion County, Ltd. in an approximate amount of \$2,350,000. Councillor Schneider stated that the applicant has indicated that the project is no longer viable and he moved, seconded by Councillor Rader to Strike Proposal No. 265, 1985. Proposal No. 265, 1985, was stricken by unanimous voice vote.

PROPOSAL NO. 277, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Sterling Limited Partnership d/b/a The Sterling Group in an approximate amount of \$4,000,000. Councillor Schneider described the project as the construction of a full service retirement community including independent living units, support services and a licensed nursing home (78 beds). There will also be 154 units plus 12 quadraplex units of multi-family residential housing. The project is to be located at 1503 Mitthoeffer Road (81.3 acres). Estimated costs for the \$5,325,000 project are as follows: \$300,000 land, \$4,450,000 building and \$575,000 equipment. Construction should begin in April 1986 and be complete in June of 1987. The estimated number of additional employment positions at the end of one year total 70 jobs with \$911,200 in additional payroll to the community. The three-year job estimate is 84 positions with \$1,214,500 in additional payroll. The Economic Development Committee on May 15, 1985, recommended Proposal No. 277, 1985, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Journey for adoption. Proposal No. 277, 1985, was adopted on the following roll call vote; viz:

29 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

Proposal No. 277, 1985, was retitled SPECIAL RESOLUTION NO. 71, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 71, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Sterling Limited Partnership d/b/a The Sterling Group (the "Applicant") has advised the Indianapolis Economic Development Commission and the City that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of approximately 166 units of multifamily residential housing plus certain administrative offices and a nursing care facility containing approximately 78 beds contained within a complex of buildings having a total gross building area of approximately 62,250 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 1503 Mitthoeffer Road on approximately 81.3 acres of land, Indianapolis, Indiana which will be used as congregate care housing for the elderly (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 70 at the end of one year and 84 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$4,000,000 under the Act to be privately placed or a public offering with credit enhancement to provide financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 282, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond

financing for Wayne R. Nelson and Dr. Richard T. Conard or a to be formed partnership of which Applicants will be the general partners in an approximate amount of \$18,000,000. Councillor Schneider described the project as occurring at the former Fall Creek School site at Kessler Boulevard and Fall Creek Road in two phases. The site is approximately 32 acres. Four hundred units of multi-family residential rental housing for the elderly will be constructed around the existing school building. Estimated costs for the \$18 million project are as follows: \$361,000 land, \$14,639,000 building, and \$3 million miscellaneous contingencies. Construction should begin in September of 1985 and be complete in November of 1986. The estimated number of additional employment positions at the end of one year total 100 jobs with \$600,000 in additional payroll to the community. The three-year job estimate is 100 positions with \$1,300,000 in additional payroll. The Economic Development Committee on May 15, 1985, recommended Proposal No. 282, 1985, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Giffin for adoption. Proposal No. 282, 1985, was adopted on the following roll call vote; viz:

29 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

Proposal No. 282, 1985, was retitled SPECIAL RESOLUTION NO. 72, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 72, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Wayne R. Nelson and Dr. Richard T. Conard (or a to be formed partnership of which Applicants will be the general partners) (the "Applicant") has advised the Indianapolis Economic Development Commission and the City that it proposes that the Issuer either acquire, construct, renovate, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the

proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, renovation, installation and equipping of approximately 400 units of multifamily residential rental housing contained within a complex of buildings having a total gross building area of approximately 600,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at Kessler Boulevard and Fall Creek Road (Fall Creek School Building site) on approximately 32 acres of land, Indianapolis, Indiana to be used as a congregate housing facility for the elderly (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 100 at the end of one year and 100 at the end of three years) to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$18,000,000 under the Act to be privately placed or a public offering with credit enhancement to provide financing for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, renovation, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement

resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, renovation underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 304-314, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 20, 1985". No action was taken on Proposal Nos. 304-314, 1985 by the Council; and the proposals were deemed adopted. Proposal Nos. 304-314, 1985, were retitled REZONING ORDINANCE NO. 62-72, 1985, and read as follows:

**REZONING ORDINANCE NO. 62, 1985 85-Z-37 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 15**

1202 NORTH SHADELAND AVENUE, INDIANAPOLIS

Dave Mason, by James W. Beatty, requests the rezoning of 3.67 acres, being in the C-4 district, to the C-5 classification, to conform zoning to its use as an outdoor automobile sales lot and to permit the construction of an addition.

**REZONING ORDINANCE NO. 63, 1985 85-Z-40 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 6**

2201 EAST 86TH STREET, INDIANAPOLIS

Metropolitan School District of Washington Township, by Philip A. Nicely, requests the rezoning of 13.31 acres, being in the C-2 district, to the SU-2 classification, to provide for school uses.

**REZONING ORDINANCE NO. 64, 1985 85-Z-49 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3**

7321 NORTH SHADELAND AVENUE, INDIANAPOLIS

Shadeland Station Developers, by Philip A. Nicely, requests the rezoning of 3.56 acres, being in C-1 and C-4 districts, to the C-4 classification, to provide for retail commercial development.

**REZONING ORDINANCE NO. 65, 1985 85-Z-50 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 10**

5104 EAST 21ST STREET, INDIANAPOLIS

Sam Johns, by William Wurster, requests the rezoning of 0.42 acre, being in the D-5 district, to the C-4 classification, to provide for retail commercial development.

**REZONING ORDINANCE NO. 66, 1985 85-Z-51 AMENDED CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 22**

18 SOUTH LASALLE STREET, INDIANAPOLIS

Philip C. Thrasher requests the rezoning of 0.72 acre, being in the I-3-U district, to the C-5 classification, to provide for auto painting and auto glass repair.

**REZONING ORDINANCE NO. 67, 1985 85-Z-53 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 16**

2542 NORTH DELAWARE STREET, INDIANAPOLIS

Indianapolis Teen Challenge requests the rezoning of 1.8 acres, being in the D-8 district, to the SU-7 classification, to conform zoning to its use as a Christian treatment facility and to permit the reconstruction of a small shed.

**REZONING ORDINANCE NO. 68, 1985 85-Z-55 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 17**

2525 LAFAYETTE ROAD, INDIANAPOLIS

William McQuary, by F. Robert Lively, requests the rezoning of 0.28 acre, being in the D-4 district, to the C-4 classification, to provide for the operation of a retail cabinet store.

**REZONING ORDINANCE NO. 69, 1985 85-Z-56 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1**

6503 WEST 71ST STREET, INDIANAPOLIS

Joseph and Margaret Wagle and Golden Rule Insurance Company, by Wilson S. Stober, request the rezoning of 9.9 acres, being in the D-2 district, to the C-1 classification, to provide for office development.

**REZONING ORDINANCE NO. 70, 1985 85-Z-58 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1**

8126 CRAWFORDSVILLE ROAD, INDIANAPOLIS

American Fletcher National Bank, by Stephen D. Mears, requests the rezoning of 5.0 acres, being in the C-1 district, to the D-6 II classification, to provide for multi-family residential development.

**REZONING ORDINANCE NO. 71, 1985 85-Z-59 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13**

5253 VICTORY DRIVE, INDIANAPOLIS

Beech Tree House Day Care Center, by Lou Zickler, requests the rezoning of approximately 11 acres, being the C-S district, to the C-S classification, to provide for the construction of a day care center in addition to the uses authorized by 77-Z-98.

**REZONING ORDINANCE NO. 72, 1985 85-Z-60 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 12**

6747 EAST 38TH STREET, INDIANAPOLIS

George T. Pride, by James Kervan, requests the rezoning of 0.11 acre, being in the D-3 district, to the C-4 classification, to provide for a retail furniture business.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 239, 1985. This proposal is for a rezoning ordinance for Lawrence Township, Councilmanic District No. 3, 7101 Sargent Road. Proposal No. 239, 1985, was called out for public hearing by Councillor Nickell, who stated that all questions had been answered concerning this case; and Councillor Nickell moved, seconded by Councillor Howard for adoption. Proposal No. 239, 1985, was adopted on the following roll call vote; viz:

29 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

Proposal No. 239, 1985, was retitled REZONING ORDINANCE NO. 73, 1985, and reads as follows:

**REZONING ORDINANCE NO. 73, 1985 85-Z-35 (85-DP-4) LAWRENCE
TOWNSHIP
COUNCILMANIC DISTRICT NO. 3
7101 SARGENT ROAD, INDIANAPOLIS**
Mud Creek Development Company, by James L. Tuohy, requests the rezoning of 16.01 acres, being in the D-S district, to the D-P classification, to provide for a planned unit development consisting of 20 detached condominiums.

PROPOSAL NO. 244 and 245, 1985. These proposals are for rezoning ordinances for Perry Township, Councilmanic District No. 25, 4801 East Stop 11 Road and 8002 South Emerson Avenue, respectively. Councillor Borst stated that these ordinances had been requested for public hearing because certain commitments had not been filed by the attorney. All the proper documents have now been filed; and Councillor Borst moved, seconded by Councillor Miller, for adoption of Proposal Nos. 244 and 245, 1985. Proposal No. 244 and 245, 1985, were adopted on the following roll call vote; viz:

28 AYES: *Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

1 NAY: *Borst*

Proposal Nos. 244 and 245, 1985, were retitled REZONING ORDINANCE NO. 74 and 75, 1985, respectively and read as follows:

REZONING ORDINANCE NO. 74, 1985 85-Z-5 AMENDED PERRY TOWNSHIP COUNCILMANIC DISTRICT NO. 25
4801 EAST STOP 11 ROAD, INDIANAPOLIS
R.J. Realty, Inc., by Michael J. Kias, requests the rezoning of 6.42 acres, being in the A-2 district, to the D-6 classification, to provide for multi-family residential development.

REZONING ORDINANCE NO. 75, 1985 85-Z-6 AMENDED PERRY TOWNSHIP COUNCILMANIC DISTRICT NO. 25
8002 SOUTH EMERSON AVENUE, INDIANAPOLIS
R.J. Realty, Inc., by Michael J. Kias, requests the rezoning of 14.62 acres, being in the A-2 district, to the C-3 classification, to provide for commercial development.

PROPOSAL NO. 168, 1985. This proposal appropriates \$100,000 for the City Legal Division for contractual legal services. Councillor Coughenour explained that Proposal No. 168, appropriates funds to pay the contractual legal fees incurred in defense of the lawsuit filed by the City of Baltimore against Mayor William H. Hudnut, III. The Administration Committee on May 13, 1985, recommended Proposal No. 168, 1985, Do Pass by a vote of 7-0. The President called for public testimony at 8:09 p.m. There being no one present to testify Councillor Coughenour moved, seconded by Councillor Holmes for adoption. Proposal No. 168, 1985, was adopted on the following roll call vote; viz:

29 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

Proposal No. 168, 1985, was retitled FISCAL ORDINANCE NO. 38, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 38, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional One Hundred Thousand Dollars (\$100,000) in the Consolidated County Fund for purposes of the Department of Administration, Legal Division and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for contractual legal services.

SECTION 2. The sum of One Hundred Thousand Dollars (\$100,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF ADMINISTRATION

LEGAL DIVISION

1. Personal Services

TOTAL INCREASE

CONSOLIDATED COUNTY FUND

\$100,000

\$100,000

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF ADMINISTRATION

LEGAL DIVISION

Unappropriated and Unencumbered

Consolidated County Fund

TOTAL REDUCTION

CONSOLIDATED COUNTY FUND

\$100,000

\$100,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 170, 1985. This proposal appropriates \$20,224 for various County Agencies to hire students for the summer months which will be 50% reimbursed. Councillor Cottingham explained that Proposal No. 170 is available through the State of Indiana Work-Study Program and that each agency participating must have 50% of the funds necessary to hire these students for the summer. The County and Townships Committee on May 14, 1985, heard testimony concerning Proposal No. 170 and at that time amended the proposal from \$20,224 to \$6,600. This was due to the reduction by the State in the total amount available. The County and Townships Committee did recommend Proposal No. 170, 1985, Do Pass As Amended by a vote of 6-0. The President called for public testimony at 8:10 p.m. Mr. John McClain asked what type of summer jobs this proposal involved. Councillor Cottingham stated that they would vary according to each county agency. Councillor Cottingham moved, seconded by Councillor Giffin for adoption. Proposal No. 170, 1985, as amended, was adopted on the following roll call vote; viz:

29 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
 NO NAYS

Proposal No. 170, 1985, as amended, was retitled FISCAL ORDINANCE NO. 39, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 39, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Six Thousand Six Hundred Dollars (\$6,600) in the County General Fund for purposes of various Marion County Agencies and reducing the unappropriated and unencumbered balance in the County General Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
 CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds to hire students during the summer which is 50% reimbursed by the State of Indiana Work-Study Program.

SECTION 2. The sum of Six Thousand Six Hundred Dollars (\$6,600) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>COUNTY SURVEYOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$ 350
<u>SUPERIOR COURT - JUVENILE DIV.</u>	
1. Personal Services	1,000
<u>SUPERIOR COURT - PROBATE DIV.</u>	
1. Personal Services	400
<u>SUPERIOR COURT - CRIMINAL DIV. - RM. 2</u>	
1. Personal Services	300
<u>PRESIDING JUDGE OF THE MUN. COURT</u>	
1. Personal Services	1,850
<u>CENTER TOWNSHIP ASSESSOR</u>	
1. Personal Services	800
<u>LAWRENCE TOWNSHIP ASSESSOR</u>	
1. Personal Services	1,400
<u>WASHINGTON TOWNSHIP ASSESSOR</u>	
1. Personal Services	500
TOTAL INCREASE	\$6,600

SECTION 4. The said additional appropriations are funded by the following reductions:

MARION COUNTY AGENCIES
Unappropriated and Unencumbered
County General Fund
TOTAL REDUCTION

COUNTY GENERAL FUND
\$6,600
\$6,600

SECTION 5. The personnel schedules are hereby amended by deleting the cross-hatched portions and adding the new amounts as underlined herein:

(8) COUNTY SURVEYOR - Dept. 29
County General Fund

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	30,511	30,511
Chief Administrator	1	28,048	28,048
Technical Supervisor	1	26,580	26,580
Administrative Asst.	1	14,694	14,694
Party Chief	2	21,483	42,668
Asstistant Party Chief	1	19,312	19,312
Instrument Man	1	18,204	18,204
Rod/Chainman	2	15,407	15,407
Draftsman	2	14,638	14,638
Secretary	1	14,694	14,694
Part-time	2	2,040	<u>2,040</u> <u>2,390</u>
Vacancy Factor	—		<u>(2,040)</u>
TOTAL	15		<u>224,736</u> <u>225,106</u>

(4) SUPERIOR COURT - JUVENILE DIVISION - Dept. 65

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judge	1	17,153	17,153
Administrators	3	36,698	87,231
Managers	14	25,643	295,580
Secretaries	4	13,734	49,880
Computer Operators	4	15,000	52,087
Clerk-Typists	15	12,668	111,323
Referees	5	36,193	120,060
Court Reporters	6	21,708	125,181
Bailiffs	7	16,024	92,345
Probation	61	23,504	909,337
Professional Staff	5	29,226	104,932
Maintenance Staff	8	13,009	70,498
Jury Per Diem			8,160
Temporary Help			<u>12,852</u> <u>13,852</u>
Vacancy Factor	—		<u>(193,996)</u>
TOTAL	133		<u>1,862,823</u> <u>1,863,623</u>

(6) SUPERIOR COURT- PROBATE DIVISION - Dept. 63

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,153	17,153
Hearing Judge	1	41,555	41,555
Commissioners	4	34,188	67,779
Court Attorney	1	8,077	8,077
Court Reporters	2	20,033	39,024
Bailiff	1	15,170	15,170
Admin. Assistant	1	15,170	15,170
Estate & Gdnshp. Clerks	2	13,943	27,886
Adoption Clerk	1	13,943	13,943
Temporary Help			14,777 1,677
TOTAL	14	347,194 247,434	

(8) SUPERIOR COURT - CRIMINAL DIVISION - ROOM TWO - Dept. 52

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,153	17,153
Court Reporters	2	17,845	35,691
Bailiffs	2	15,088	29,156
Chief Clerk	1	15,984	15,984
Secretary	1	15,073	15,073
Record Clerk	1	13,899	13,899
Clerk	1	12,840	12,840
Master Commissioner	1	19,232	19,232
Public Defenders	1	13,116	13,116
Temporary Part-time		1,561	11,561 1,861
TOTAL	11	173,795 174,005	

(24) PRESIDING JUDGE OF THE MUNICIPAL COURT - Dept. 47
County General Fund

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judges	15	17,160	242,476
Court Reporters	16	18,616	279,240
Bailiffs	47	17,550	689,078
Managers	3	29,744	78,520
Supervisors/Admin. Asst.	9	20,930	164,060
Court Specialists	48	15,574	503,802
Professional	76	25,844	792,350
Temporary			14,886 16,486
Vacancy Factor			(197,891)
TOTAL	214	2,566,271 2,568,121	

(1) CENTER TOWNSHIP ASSESSOR - Dept. 06

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	35,735	35,735
Real Estate Deputies	11	25,618	177,061
Personal Prop. Deputies	9	24,504	142,107
Deputies II	27	15,593	253,844
Temporaries			37,200 <u>38,000</u>
TOTAL	48	184,947	<u>646,747</u>

(4) LAWRENCE TOWNSHIP ASSESSOR - Dept. 20

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	31,202	31,202
Chief Deputy	1	23,397	23,397
Deputies	9	22,684	97,085
Temporary			3,700 <u>5,100</u>
Vacancy Factor			<u>(3,734)</u>
TOTAL	11	151,650	<u>153,050</u>

(8) WASHINGTON TOWNSHIP ASSESSOR - Dept. 32

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	34,669	34,669
Chief Deputy	1	26,003	26,003
Personal Prop. Deputies	2	18,783	30,737
Real Estate Deputies	6	20,227	96,786
Technical Clerks	7	13,327	78,982
Draftsman	1	14,962	13,167
Temporary			10,696 <u>11,196</u>
TOTAL	18	221,040	<u>291,540</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 214, 1985. This proposal approves the issuance of temporary tax anticipation time warrants for the use of the Park District Fund, Consolidated County Fund, Consolidated City Police Force Account, Police Pension Fund,

Consolidated City Fire Force Account, Firemen's Pension Fund and Sanitary Solid Waste General Fund during the period of July 1, 1985 to December 31, 1985. Councillor Coughenour stated that this is a routine function of the Council to approve tax anticipation time warrants and that the Administration Committee on May 13, 1985, recommended Proposal No. 214, 1985, Do Pass by a vote of 7-0. The President called for public testimony at 8:14 p.m. There being no one present to testify Councillor Coughenour moved, seconded by Councillor Holmes for adoption. Proposal No. 214, 1985, was adopted on the following roll call vote; viz:

29 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

Proposal No. 214, 1985, was retitled FISCAL ORDINANCE NO. 40, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 40, 1985

A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing the City of Indianapolis to make temporary loans for the use of the Park District Fund, Consolidated County Fund, the Consolidated City Police Force Account, the Police Pension Fund, the Consolidated City Fire Force Account, the Firemen's Pension Fund, and the Sanitary Solid Waste General Fund during the period July 1, 1985, to December 31, 1985, in anticipation of current taxes levied in the year 1984 and collectible in the year 1985, authorizing the issuance of tax anticipation time warrants to evidence such loans; pledging and appropriating the taxes to be received in said Funds to the payment of said tax anticipation time warrants including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Controller has represented and the City-County Council now finds that there will be insufficient funds in the Park District Fund to meet the current expenses of the Department of Parks and Recreation payable from said Fund prior to the December, 1985, distribution of taxes levied for said Fund; and

WHEREAS, the December, 1985, distribution of taxes to be collected for said Park District Fund will amount to more than three million dollars (\$3,000,000) and the interest cost of making a temporary loan for said Park District Fund; and

WHEREAS, the Controller has represented and the City-County Council now finds that there will be insufficient funds in the Consolidated County Fund to meet the current expenses of the Consolidated County Fund, payable from said Fund prior to December, 1985, distribution of taxes levied for said Fund; and

WHEREAS, the December, 1985, distribution of taxes to be collected for said Consolidated County Fund will amount to more than two million three hundred thousand dollars (\$2,300,000) and the interest cost of making a temporary loan for said Consolidated County Fund; and

WHEREAS, the Controller has represented and the Special Service District Council of the Police Special Service District of the City of Indianapolis now finds that there will be insufficient funds in the Consolidated City Police Force Account to meet the current expenses payable from said Account prior to December, 1985, distribution of taxes levied for said Account; and

WHEREAS, the December, 1985, distribution of taxes to be collected for said Consolidated City Police Force Account will amount to more than nine million dollars (\$9,000,000) and the interest cost of making a temporary loan for said Consolidated City Police Force Account; and

WHEREAS, the Controller has represented and the Special Service District Council of the Police Special Service District now finds that there will be insufficient funds in the Police Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from said Fund prior to the December, 1985, distribution of taxes levied for said Fund; and

WHEREAS, the December, 1985, distribution of taxes collected for said Police Pension Fund will amount to more than one million nine hundred fifty thousand dollars (\$1,950,000) and the interest cost of making a temporary loan for said Police Pension Fund; and

WHEREAS, the Controller has represented and the Special Service District Council of the Fire Special Service District of the City of Indianapolis now finds that there will be insufficient funds in the Consolidated City Fire Force Account to meet the current expenses payable from said Account prior to December, 1985, distribution of taxes levied for said Account; and

WHEREAS, the December, 1985, distribution of taxes to be collected for said Consolidated City Fire Force Account will amount to more than seven million three hundred thousand dollars (\$7,300,000) and the interest cost of making a temporary loan for said Consolidated City Fire Force Account; and

WHEREAS, the Controller has represented and the Special Service District Council of the Fire Special Service District now finds that there will be insufficient funds in the Firemen's Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from said Fund prior to the December, 1985, distribution of taxes levied for said Fund; and

WHEREAS, the December, 1985, distribution of taxes collected for said Firemen's Pension Fund will amount to more than two million two hundred thousand dollars (\$2,200,000) and the interest cost of making a temporary loan for said Firemen's Pension Fund; and

WHEREAS, the Board of Public Works of the City of Indianapolis has authorized the making of temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Sanitary Solid Waste General Fund in the amount of two million eight hundred thousand dollars (\$2,800,000) payable from the December, 1985, distribution of taxes levied for said Fund; and

WHEREAS, the Controller has represented and the Solid Waste Special Service District Council now finds that there will be insufficient funds in the Sanitary Solid Waste General Fund to meet the current expenses of the Sanitary Solid Waste Fund payable from said Fund prior to the December, 1985, distribution of taxes levied for said Fund; and

WHEREAS, a necessity exists for the making of temporary loans for said Funds and Accounts in anticipation of current revenues for said Funds and Accounts actually levied and in course of collection for the year 1985; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Park District Fund of said City in the amount of three million dollars (\$3,000,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1985, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of 10 percent, the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on December 26, 1985. Said warrants, including interest shall be payable from the Park District Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Park District Fund from the December, 1985, distribution of taxes for said Park District Fund, viz; three million dollars (\$3,000,000) to the Park District Fund, the 1985 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and said Park District Fund, 1985 Budget Fund No. 092, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 2. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Consolidated County Fund of said City in the amount of two million three hundred thousand dollars (\$2,300,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1985, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of 10 percent, the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on December 26, 1985. Said warrants, including interest shall be payable from the Consolidated County Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Consolidated County Fund from the December, 1985, distribution of taxes for said Consolidated County Fund, viz; two million three hundred thousand dollars (\$2,300,000) to the Consolidated County Fund, the 1985 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and said Consolidated County Fund,

1985 Budget Fund No. 027, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 3. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Consolidated City Police Force Account of said City in the amount of nine million dollars (\$9,000,000) in anticipation of current tax revenues actually levied and in course of collection for said Account for the year 1985, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of ten percent (10%), the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on December 26, 1985. Said warrants, including interest shall be payable from the Consolidated City Police Force Account, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Consolidated City Police Force Account from the December, 1985, distribution of taxes for said Consolidated City Police Force Account, viz; nine million dollars (\$9,000,000) to the 1985 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and to the 1985 Budget Fund No. 084, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 4. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Police Pension Fund of said City in the amount of one million nine hundred fifty thousand dollars (\$1,950,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1985, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on December 26, 1985. Said warrants, including interest shall be payable from the Police Pension Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Police Pension Fund from the December, 1985, distribution of taxes for said Police Pension Fund, viz; one million nine hundred fifty thousand dollars (\$1,950,000) to the Police Pension 1985 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and the Police Pension Fund 1985 Budget Fund No. 085, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 5. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Consolidated City Fire Force Account of said City in the amount of seven million three hundred thousand dollars (\$7,300,000) in anticipation

of current tax revenues actually levied and in course of collection for said Account for the year 1985, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of ten percent (10%), the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on December 26, 1985. Said warrants, including interest shall be payable from the Consolidated City Fire Force Account, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Consolidated City Fire Force Account from the December, 1985, distribution of taxes for said Consolidated City Fire Force Account, viz; seven million three hundred thousand dollars (\$7,300,000) to the 1985 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and to the 1985 Budget Fund No. 087, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 6. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Firemen's Pension Fund of said City in the amount of two million two hundred thousand dollars (\$2,200,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1985, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on December 26, 1985. Said warrants, including interest shall be payable from the Firemen's Pension Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Firemen's Pension Fund from the December, 1985, distribution of taxes for said Firemen's Pension Fund, viz; two million two hundred thousand dollars (\$2,200,000) to the Firemen's Pension 1985 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and the Firemen's Pension Fund 1985 Budget Fund No. 088, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 7. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Sanitary Solid Waste General Fund of said City in the amount of two million eight hundred thousand dollars (\$2,800,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1985, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of ten percent (10%), the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said war-

rants shall mature and be payable on December 26, 1985. Said warrants, including interest shall be payable from the Sanitary Solid Waste General Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Sanitary Solid Waste General Fund from the December, 1985, distribution of taxes for said Sanitary Solid Waste General Fund, viz; two million eight hundred thousand dollars (\$2,800,000) to the 1985 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and to the 1985 Budget Fund No. 055, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 8. Said tax anticipation time warrants shall be executed in the name of the City of Indianapolis by the facsimile signature of the Mayor of said City, countersigned by the Controller of said City, the corporate seal of said City to be affixed thereto and attested by the Clerk of the Council. Said warrants shall be payable at the office of the Marion County Treasurer, ex officio Treasurer or the paying agent of the City of Indianapolis.

SECTION 9. Said tax anticipation time warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____ Principal and Interest \$ _____

CITY OF INDIANAPOLIS
TAX ANTICIPATION TIME WARRANT

(FUND)

On the _____ day of _____, 19____, the City of Indianapolis, in Marion County, Indiana, promises to pay to the bearer, at the office of the Marion County Treasurer, ex officio Treasurer or _____ the paying agent of the City of Indianapolis, the sum of _____ including interest on the principal amount of this warrant from the date hereof to maturity, payable out of and from taxes levied in the year of 19____, and payable in the year 19____, which said taxes are now in course of collection for the _____ of the City of Indianapolis, with which to pay general, current, operating expenses of the _____.

This Tax Anticipation Time Warrant is one of an authorized issue of warrants aggregating a sum of _____ exclusive of interest added thereto to the maturity, evidencing a temporary loan in anticipation of taxes levied and in course of collection for the _____ (Fund) of said City of Indianapolis and Marion County.

Said temporary loan was authorized [by Resolution No. _____ duly adopted by the Board of Public Works of the City of Indianapolis at a meeting thereof duly and legally convened and held on the _____ day of _____, 19____, for the purpose of providing funds for the Sanitary Solid Waste General Fund of said Sanitary District in compliance with the provision of I.C. 36-9-25-32 and] by ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the _____ day of _____, 19____, for the purpose of providing funds for the _____ (Fund) of said City of Indianapolis, in compliance with I.C. 36-3-4-22.

The consideration of said warrant is a loan made to the City of Indianapolis in anticipation of taxes levied for the _____ of said City for the year of 19____, payable in the year 19____, and said taxes so levied are hereby specifically appropriated and pledged to the payment of said Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to the authorization, preparation, complete execution and delivery of said warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, the City of Indianapolis has caused the warrant to be signed in its corporate name by the facsimile signature of the Mayor, and countersigned by the Controller of the City of Indianapolis, the corporate seal of said City to be hereunto affixed, and attested by the Clerk of the City of Indianapolis.

Dated this _____ day of _____, 19____.

CITY OF INDIANAPOLIS

By: _____
Mayor, City of Indianapolis
WILLIAM H. HUDNUT, III

COUNTERSIGNED:

By: _____
Controller, City of Indianapolis
FRED L. ARMSTRONG

(SEAL)

ATTEST:

By: _____
Clerk, City of Indianapolis
BEVERLY S. RIPPY

SECTION 10. The Controller is hereby authorized and directed to have said tax anticipation time warrants prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute said tax anticipation time warrants in the manner substantially set out in the form hereinbefore provided. The Controller shall sell said warrants at public sale. Prior to the sale of said warrants, the Controller shall cause to be published a notice of sale at least ten days before the date of sale in two newspapers of general circulation, printed in the English language and published in the City of Indianapolis, as provided by law. All bids for said warrants shall be sealed and shall be presented to the Controller at his office, and all bids shall name the rate or rates of interest for said warrants, or portion thereof bid for. Said warrants, or portion thereof bid for, shall be awarded to the bidder or bidders therefore submitting the lowest interest rate or rates. In the event two bidders submit the same interest rate for all or a portion of the warrants, such warrants shall be awarded to the bidder submitting the greatest premium. Any premium bid shall be used solely for the repayment of the principal of and interest on the warrants. No bid for less than par shall be considered, and the Controller shall have the right to reject any and all bids. The proper officers of the City are authorized to deliver the time warrants to the purchaser or purchasers of said warrants at the agreed purchase price. The warrants may all be delivered at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to said delivery by and between the Controller and the purchaser of the warrants.

SECTION 11. The proceedings had and action taken by the Board of Public Works of the City of Indianapolis in authorizing the making of a temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Sanitary Solid Waste General Fund for two million eight hundred thousand dollars (\$2,800,000) payable from the December, 1985, distribution of taxes levied for said funds, are hereby ratified, approved, and confirmed and to the extent as may be required by law, shall be deemed to be proceedings had and action taken by this City-County council, and are incorporated herein by reference.

SECTION 12. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 215, 1985. This proposal appropriates \$26,300 for the Department of Administration, Office of the Director to reduce workmen's compensation claims. Councillor Coughenour stated that these funds reflect a savings in workmen's compensation already realized this year. These funds will be used to implement a community safety program, which has already been successful in the Department of Public Safety and also to contract out the task of processing workmen's compensation claims. The Department of Administration anticipates that there will be enough savings in workmen's compensation claims each year to fund the program. The Administration Committee on May 13, 1985, recommended Proposal No. 215, 1985, Do Pass by a vote of 7-0. The President called for public testimony at 8:15 p.m. There being no one present to testify Councillor Coughenour moved, seconded by Councillor Holmes for adoption. Proposal No. 215, 1985, was adopted on the following roll call vote; viz:

29 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

Proposal No. 215, 1985, was retitled **FISCAL ORDINANCE NO. 41, 1985**, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 41, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twenty-six Thousand Three Hundred Dollars (\$26,300) in the City General Fund for purposes of the Department of Administration, Office of the Director and reducing the unappropriated and unencumbered balance in the City General Fund.

A

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for a Risk Manager and related expenses in order to reduce workmen's compensation claims, legal suits and judgments.

SECTION 2. The sum of Twenty-six Thousand Three Hundred Dollars (\$26,300) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

**DEPARTMENT OF ADMINISTRATION
OFFICE OF THE DIRECTOR**

CITY GENERAL FUND

1. Personal Services

\$26,300

TOTAL INCREASE

\$26,300

SECTION 4. The said additional appropriations are funded by the following reductions:

**DEPARTMENT OF ADMINISTRATION
OFFICE OF THE DIRECTOR**

CITY GENERAL FUND

Unappropriated and Unencumbered

City General Fund

\$26,300

TOTAL REDUCTION

\$26,300

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 216, 1985. This proposal appropriates \$236,000 for the Department of Administration, Office of the Director for a Health Enhancement Program. Councillor Coughenour reported that the purpose of this program is to increase productivity by reducing sick leave utilization and to cut claims of health care costs. The program will be offered to non-union City employees and consist of a strictly confidential medical examination by a qualified doctor and sound medical advice on how to lead a more healthy life. Employees must have the following qualifications: carry health insurance through Prudential; must be a non-union City employee; and must go through the physical examinations and conseling which takes annually 4 to 6 hours of their personal time. The Administration Committee on May 13, 1985 recommended Proposal No. 216, 1985, Do Pass by a vote of 7-0. The President called for public testimony at 8:20 p.m. There being no one present to testify Councillor Coughenour moved, seconded by Councillor Curry for adoption. Proposal No. 216, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

1 NAY: Nickell

Proposal No. 216, 1985, was retitled FISCAL ORDINANCE NO. 42, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 42, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Two Hundred Thirty-six Thousand Dollars (\$236,000) in the City General Fund for purposes of the Department of Administration, Office of the Director and reducing the unappropriated and unencumbered balance in the City General Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for the Health Enhancement Program to decrease health insurance costs and the use of sick time and to increase productivity. The funding has been provided by insurance program individuals.

SECTION 2. The sum of Two Hundred Thirty-six Thousand Dollars (\$236,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF ADMINISTRATION	
OFFICE OF THE DIRECTOR	CITY GENERAL FUND
3. Other Services & Charges	\$222,000
4. Capital Outlay	<u>14,000</u>
TOTAL INCREASE	\$236,000

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF ADMINISTRATION	
OFFICE OF THE DIRECTOR	CITY GENERAL FUND
Unappropriated and Unencumbered	
City General Fund	<u>\$236,000</u>
TOTAL REDUCTION	\$236,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 217, 1985. This proposal appropriates \$15,000 for the Records Division to increase microfilming of county records on a contractual basis. Councillor Coughenour stated that these funds will allow the Records Division to continue its contractual agreement with Manpower. This contract includes 4 persons who assist in the process of transferring City documents to microfilm. The Administration Committee on May 13, 1985, recommended Proposal No. 217, 1985, Do Pass by a vote of 7-0. The President called for public testimony at 8:21 p.m. There being no one present to testify Councillor Coughenour moved, seconded by Councillor Holmes for adoption. Proposal No. 217, 1985, was adopted on the following roll call vote; viz:

29 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

Proposal No. 217, 1985, was retitled FISCAL ORDINANCE NO. 43, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 43, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Fifteen Thousand Dollars (\$15,000) in the Consolidated County Fund for purposes of the Department of Administration, Records Division and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds to increase the microfilming of county records on a contractual basis which will be reimbursed by the County General Fund.

SECTION 2. The sum of Fifteen Thousand Dollars (\$15,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:
DEPARTMENT OF ADMINISTRATION

RECORDS DIVISION
3. Other Services & Charges
TOTAL INCREASE

CONSOLIDATED COUNTY FUND
\$15,000
\$15,000

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF ADMINISTRATION

RECORDS DIVISION

Unappropriated and Unencumbered

Consolidated County Fund

TOTAL REDUCTION

CONSOLIDATED COUNTY FUND

\$15,000

\$15,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 218, 1985. This proposal authorizes the Board of County Commissioners to issue and sell bonds of the County in an amount not to exceed \$4,992,000 to pay certain judgment obligations of the Department of Public Welfare owed to Methodist, Community and I.U. Hospitals. Councillor Cottingham explained that recently six hospitals began legal action against the City for the care of the indigent. These six hospitals included St. Francis, Winona, St. Vincents, Methodist, I.U., and Community. The three smallest were paid in cash with 50 cents on the dollar, which amounted to less than one-half of a million dollars. There was not enough money to pay the three larger hospitals in cash. The three larger hospitals have agreed to take 50 cents on the dollar and to buy the bonds to finance this at a 5% interest rate. The County and Townships Committee on May 14, 1985, recommended Proposal No. 218, 1985, Do Pass by a 5-1 vote. Councillor Cottingham moved, seconded by Councillor Hawkins for adoption. The President called for public testimony at 8:25 p.m.

Mr. Carl Moldthan, Director of the Indianapolis Taxpayers Association, stated that each year the taxpayers of Marion County pour between \$25 and \$30 million in property taxes into Wishard Hospital for the care of the indigent. About two years ago, a similar bill was paid to Methodist as a result of another law suit. This bill was also for the care of the indigent who were not treated at Wishard. He suggested that the City sell Wishard to I.U. Medical School for a very small sum. Then, all the tax money that is supposed to go to Wishard could be placed into a special fund just to pay for the care of the indigent. This fund would gain interest and actually make money for the taxpayers. He indicated that, "another advantage would be that we would no longer have to pay for capital expenditures for a hospital we no longer owned. This would mean, no more bond issues for Wishard."

Dr. SerVaas passed the gavel to Councillor Miller and stated that the Council has been working on this very problem for the last ten years. "The City Administration and the Council worked together and managed to get the State Legislature to pass a law that prohibited other hospitals from treating the indigent except for emergency services. Then, the doctors said that the threat of malpractice was so great that they must treat the patients as best they could." Dr. SerVaas indicated that the Welfare Department is not doing its job effectively of appealing these indigent cases and proving that they were an emergency situation. He stated that he would welcome the Indianapolis Taxpayers Association's help next year with the State Legislature to resolve this problem.

Proposal No. 218, 1985, failed on the following roll call vote; viz:

11 AYES: Bradley, Cottingham, Curry, Giffin, Gilmer, Howard, Journey, Miller, Rader, SerVaas, West

17 NAYS: Borst, Boyd, Campbell, Clark, Coughenour, Crowe, Dowden, Durnil, Hawkins, Holmes, McGrath, Nickell, Rhodes, Schneider, Shaw, Stewart, Strader

1 NOT VOTING: Page

Councillor Coughenour suggested that a resolution be prepared stating strongly that an end be found to this dilemma and that the Council and the Health and Hospital Corporation seriously look at this problem.

Councillor Boyd, being on the prevailing side of the previous vote on Proposal No. 218, moved that the proposal be reconsidered. Councillor West seconded. The motion to reconsider passed on the following roll call vote; viz:

17 AYES: Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Giffin, Gilmer, Hawkins, Howard, Journey, Miller, Rader, Rhodes, SerVaas, West

11 NAYS: Borst, Clark, Dowden, Durnil, Holmes, McGrath, Nickell, Schneider, Shaw, Stewart, Strader

1 NOT VOTING: Page

Mr. John Ryan, Corporation Counsel, explained that when the bargaining process started between the City and the hospitals, the hospitals wanted \$10,000,000. It has been worked on a great deal to get the hospitals to lower their claims

to \$5,000,000. The City has made the best deal possible at this time. There has been a Legislative Study Committee working on this very problem, and we are not alone in this issue. It is a serious problem throughout the entire State of Indiana.

Councillor Coughenour moved, seconded by Councillor Borst, to postpone Proposal No. 218, 1985, until the June 24, 1985, Council meeting. During this time, a resolution should be drafted stating some formal recommendations of this Council. The motion passed by a voice vote.

PROPOSAL NO. 219, 1985. This proposal appropriates \$614 for the County Assessor for printing of forms for all township assessors. Councillor Cottingham explained that all the budgets of the assessors are very close and that the necessary funds were found in the budget of the Marion County Auditor for the printing of these various forms used by all the assessors. The County and Townships Committee on May 14, 1985, recommended Proposal No. 219, 1985, Do Pass by a vote of 5-1. The President called for public testimony at 9:15 p.m. There being no one present to testify Councillor Cottingham moved, seconded by Councillor Schneider for adoption. Proposal No. 219, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Page

Proposal No. 219, 1985, was retitled **FISCAL ORDINANCE NO. 44, 1985**, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 44, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Six Hundred Fourteen Dollars (\$614) in the County General Fund for purposes of the Marion County Assessor and reducing certain other appropriations for the Marion County Auditor.

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(1) and (2) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds for printing of forms for all township assessors.

SECTION 2. The sum of Six Hundred Fourteen Dollars (\$614) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

2. Supplies	<u>\$614</u>
TOTAL INCREASE	<u>\$614</u>

MARION COUNTY AUDITOR COUNTY GENERAL FUND

2. Supplies	<u>\$614</u>
TOTAL REDUCTION	<u>\$614</u>

PROPOSAL NO. 221, 1985. This proposal appropriates \$20,000 for Superior Court, Juvenile Division for the Guardian Ad Litem Project which will be reimbursed. Councillor Dowden explained that Proposal No. 221 represents a reappropriation of \$20,000 approved in Fiscal Ordinance No. 92, 1984, which was approved by the Council on November 19, 1984. The \$20,000 is from a federal grant. The Public Safety and Criminal Justice Committee on May 8, 1985, recommended Proposal No. 221, 1985, Do Pass by a vote of 6-0. The President called for public testimony at 9:16 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 221, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Page

Proposal No. 221, 1985, was retitled FISCAL ORDINANCE NO. 45, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 45, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twenty Thousand Dollars (\$20,000) in the State and Federal Grant Fund for purposes of the Marion County Superior Court, Juvenile Division and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02(b)(4) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of reappropriating 1984 funds for the Guardian Ad Litem Project which will be reimbursed with federal funds.

SECTION 2. The sum of Twenty Thousand Dollars (\$20,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:
SUPERIOR COURT - JUVENILE DIV. STATE AND FEDERAL GRANT FUND
32. Contractual Services \$20,000
TOTAL INCREASE \$20,000

SECTION 4. The said additional appropriations are funded by the following reductions:
SUPERIOR COURT - JUVENILE DIV. STATE AND FEDERAL GRANT FUND
Unappropriated and Unencumbered
State and Federal Grant Fund \$20,000
TOTAL REDUCTION \$20,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 222, 1985. This proposal appropriates \$5,000 for Superior Court, Criminal Division, Probation Department for the partial payment of the Intern Supervisor's salary. Councillor Dowden stated that the \$5,000 appropriation is funded by a contractual payment through the Community Corrections Program (State Grant Fund). The Public Safety and Criminal Justice Committee on May 8, 1985, recommended Proposal No. 222, 1985, Do Pass by a vote of 6-0. The President called for public testimony at 9:17 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Gilmer for adoption. Proposal No. 222, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Page

Proposal No. 222, 1985, was retitled FISCAL ORDINANCE NO. 46, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 46, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Five Thousand Dollars (\$5,000) in the County General Fund for purposes of the Superior Court, Criminal Division Probation Department and reducing the unappropriated and unencumbered balance in the County General Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02(b)(1) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the partial payment of the Intern Supervisor's salary which will be reimbursed by a contract with the Community Corrections Advisory Board.

SECTION 2. The sum of Five Thousand Dollars (\$5,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

SUPERIOR COURT, CRIMINAL DIVISION
PROBATION DEPARTMENT

COUNTY GENERAL FUND

1. Personal Services
TOTAL INCREASE

\$5,000
\$5,000

SECTION 4. The said additional appropriations are funded by the following reductions:

SUPERIOR COURT, CRIMINAL DIVISION
PROBATION DEPARTMENT

COUNTY GENERAL FUND

Unappropriated and Unencumbered
County General Fund
TOTAL REDUCTION

\$5,000
\$5,000

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

**(1) SUPERIOR COURT - CRIMINAL COURT PROBATION DEPARTMENT - Dept.
64 County General Fund**

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Professional	26	25,210	458,833 <u>458,833</u>
Clerical	12	13,995	<u>127,456</u>
Vacancy Factor			<u>(17,445)</u>
TOTAL	38		568,844 <u>568,844</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 223, 1985. This proposal appropriates \$21,550 for Superior Court, Criminal Division, Probation Department to purchase supplies, equipment and office remodeling. Councillor Dowden reported that the funds are available from the Adult Probation Services Fund (supervision fee). Approximately, \$17,500 of the appropriates will be to purchase four personal computers, two with word processing capabilities. This will improve the Department's financial record keeping, case tracking and management, and word processing. The computer installation includes running cables upstairs to the 9th Floor mainframe. Access is not available at this time, but when it is the Probation Department will have the equipment necessary to connect. The Public Safety and Criminal Justice Committee on May 8, 1985, recommended Proposal No. 223, 1985, Do Pass by a vote of 6-0. The President called for public testimony at 9:19 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Durnil for adoption. Proposal No. 223, 1985, was adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

1 NOT VOTING: *Page*

Proposal No. 223, 1985, was retitled FISCAL ORDINANCE NO. 47, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 47, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twenty-one Thousand Five Hundred Fifty Dollars (\$21,550) in the Adult Probation Fees Fund for purposes of the Superior Court, Criminal Division, Probation Department and reducing the unappropriated and unencumbered balance in the Adult Probation Fees Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(1) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for supplies, to host a foreign national probation officer, for office remodeling to improve efficiency and security and to purchase our personal computers.

SECTION 2. The sum of Twenty-one Thousand Five Hundred Fifty Dollars (\$21,550) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

SUPERIOR COURT, CRIMINAL DIVISION	
PROBATION DEPARTMENT	ADULT PROBATION FEES FUND
2. Supplies	\$ 650
3. Other Services & Charges	2,600
4. Capital Outlay	<u>18,300</u>
TOTAL INCREASE	<u>\$21,550</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

SUPERIOR COURT, CRIMINAL DIVISION	
PROBATION DEPARTMENT	ADULT PROBATION FEES FUND
Unappropriated and Unencumbered	
Adult Probation Fees Fund	<u>\$21,550</u>
TOTAL REDUCTION	<u>\$21,550</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 224, 1985. This proposal appropriates \$2,433 for the Prosecutor for expenses incurred during an investigation and a training conference. Councillor Dowden explained that the appropriation reflects a \$433 reimbursement from a federal grant for a one-time training conference held in Washington, D.C. One staff member attended this conference which was held February 28th through March 11th. The \$2,000 is an additional reimbursement from the State

in reference to an insurance investigation. The Public Safety and Criminal Justice Committee on May 8, 1985, recommended Proposal No. 224, 1985, Do Pass by a vote of 6-0. The President called for public testimony at 9:20 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 224, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Page

Proposal No. 224, 1985, was retitled FISCAL ORDINANCE NO. 48, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 48, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Two Thousand Four Hundred Thirty-three Dollars (\$2,433) in the County General Fund for purposes of the Marion County Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the County General Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(22) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds reimbursed by the State for expenses incurred in an investigation and reimbursed by federal funds for expenses incurred for a training conference.

SECTION 2. The sum of Two Thousand Four Hundred Thirty-three Dollars (\$2,433) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

PROSECUTING ATTORNEY	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$2,433</u>
TOTAL INCREASE	<u>\$2,433</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

PROSECUTING ATTORNEY
Unappropriated and Unencumbered
County General Fund
TOTAL REDUCTION

COUNTY GENERAL FUND

\$2,433
\$2,433

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 225, 1985. This proposal appropriates \$25,000 for the Prosecutor to meet the requirements of the Youth Resource Center Grant. Councillor Dowden stated that the appropriation represents additional funds to an existing previously appropriated federal grant. The appropriation will alleviate certain cash flow problems in the grant, and the \$7,100 derived from the Auditor's budget will be reimbursed within the next sixty to ninety days. The Public Safety and Criminal Justice Committee on May 8, 1985, recommended Proposal No. 225, 1985, Do Pass by a vote of 6-0. The President called for public testimony at 9:21 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Rhodes for adoption. Proposal No. 225, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Page

Proposal No. 225, 1985, was retitled FISCAL ORDINANCE NO. 49, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 49, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twenty-five Thousand Dollars (\$25,000) in the State and Federal Grant Fund for purposes of the Marion County Prosecuting Attorney and reducing certain other appropriations for the Marion County Auditor and the unappropriated and unencumbered balance in the State and Federal Grant Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(22) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds to meet the requirements of the Youth Resource Center Grant.

SECTION 2. The sum of Twenty-five Thousand Dollars (\$25,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations and the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

PROSECUTING ATTORNEY	STATE AND FEDERAL GRANT FUND	
32. Contractual Services		<u>\$25,000</u>
TOTAL INCREASE		<u>\$25,000</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

PROSECUTING ATTORNEY	STATE AND FEDERAL GRANT FUND	
31. Personal Services		\$11,900
COUNTY AUDITOR		
31. Personal Services (Fringes)		7,100
Unappropriated and Unencumbered		
State and Federal Grant Fund		<u>6,000</u>
TOTAL REDUCTION		<u>\$25,000</u>

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Deputy Prosecutors	4	32,000	62,000
Witness Coordinator	1	18,000	18,000
Paralegal	1	17,000	17,000
Investigator	1	21,000	21,000
Project Analyst	1	11,000	11,000
Director	4	25,500	58,000 / <u>51,713</u>
Volunteer Coordinator	1	15,000	15,000
Project Coordinator	1	9,240	5,331
Secretary	4	14,500	34,057 / <u>25,444</u>
Counselor	2	15,000	29,000
Screening Deputy	1	12,000	10,000
Intern	1	13,000	6,500
Data Entry Clerk	1	13,000	6,500
Vacancy Factor			<u>(56,525)</u>
TOTAL	23		<u>123,868 221,963</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 169, 1985. This proposal transfers \$2,000 for the City-County Council to purchase additional word processing equipment. Councillor Coughenour explained that this transfer will be utilized to purchase software for upgrading of the word processing equipment. This improvement is to enable secretarial convenience and save time. Proposal No. 169, 1985, was amended in Committee from \$2,000 to \$4,000. This money will enable the Council office to purchase a new dictaphone. The current system is over 10 years old, is skipping dictation and in need of repair. The estimated cost to repair the equipment is approximately \$500, and there is no guarantee that the machine would not break down again. The Administration Committee on May 13, 1985, recommended Proposal No. 169, 1985, Do Pass As Amended by a vote of 7-0. Councillor Coughenour moved, seconded by Councillor Holmes, for adoption. Proposal No. 169, 1985, as amended, was adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

1 NOT VOTING: *Page*

Proposal No. 169, 1985, as amended, was retitled FISCAL ORDINANCE NO. 50, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 50, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Four Thousand Dollars (\$4,000) in the Consolidated County Fund for purposes of the City-County Council and reducing certain other appropriations for that division.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds to purchase equipment to increase the capabilities of the current word processing system.

SECTION 2. The sum of Four Thousand Dollars (\$4,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

CITY-COUNTY COUNCIL

CONSOLIDATED COUNTY FUND

4. Capital Outlay

\$4,000

TOTAL INCREASE

\$4,000

SECTION 4. The said increased appropriation is funded by the following reductions:

CITY-COUNTY COUNCIL

CONSOLIDATED COUNTY FUND

3. Other Services & Charges

\$4,000

TOTAL REDUCTION

\$4,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 226-228, 1985. PROPOSAL NO. 226, 1985, changes parking controls on a portion of Pleasant Run Parkway. The petitioners requested that no parking anytime from 6:00 a.m. to 6:00 p.m. except Saturday and Sunday be implemented. The staff and visitors to the Little People's Prep School on the north side of Pleasant Run occasionally park on the south side of Pleasant Run. The school has off-street parking available. PROPOSAL NO. 227, 1985, changes intersection controls in various subdivisions. The intersection control changes are in Shadow Ridge, Golden Oaks and Normandy Farms subdivisions. The streets in these subdivisions have been inspected by the Department of Transportation staff and have been accepted for maintenance by the City. PROPOSAL NO. 228, 1985, changes intersection controls at Lafayette Road and Eagledale Shopping Center. There are four other exits and entrances to the Eagledale Shopping Center and there is no reason for the traffic light in the middle. Councillor Gilmer explained that the Transportation Committee had amended Proposal No. 228, 1985, to delete just the one traffic light. The Transportation Committee on May 14, 1985, recommended Proposal Nos. 226 and 227, 1985, Do Pass by a vote of 5-0 and 6-0 respectively and recommended Proposal No. 228, 1985, Do Pass As Amended by a vote of 8-0. Councillor Gilmer moved, seconded by Councillor Bradley for adoption. Proposal Nos. 226-228, 1985, were adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw,

Stewart, Strader, West
NO NAYS
1 NOT VOTING: Page

PROPOSAL NOS. 226-228, 1985, were retitled GENERAL ORDINANCE NOS. 31-33, 1985, respectively, and read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 31, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-270, Parking prohibited during specified hours on certain days.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-270, Parking prohibited during specified hours on certain days, be and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS
From 6:00 a.m. to 6:00 p.m.

Pleasant Run Parkway, South Drive, on the south side, from Arlington Avenue to Webster Avenue.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 32, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
1, Pg. 1	Almaden Ct. & Almaden Dr.	NONE	NONE
1, Pg. 1	Chablis Cir. & Maisons Ct.	NONE	NONE
1, Pg. 1	Dubonnet Ct. & Dubonnet Wy.	NONE	NONE
1, Pg. 1	Normandy Bl, Palais Ct. & Palais Dr.	NONE	NONE
6, Pg. 2	Glenmore Dr. & Lantern Le.	Glenmore Dr. (NB) & Lantern Le. (SB)	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
1, Pg. 1	Almaden Ct. & Almaden Dr.	Almaden Dr.	STOP
1, Pg. 1	Almaden Dr. Chablis Cir. & Chablis Ct.	Chbls Cir/Chbls Ct	STOP
1, Pg. 1	Almaden Dr. & Randue Ct.	Almaden Dr.	YIELD
1, Pg. 1	Andre Ct.,	Dubonnet Wy.	
1, Pg. 1	Andre Ct., Andre Dr. & Cabernet Wy.	Andre Dr./Dubnnot Wy.	STOP
1, Pg. 1	Chablis Cir. & Maisons Ct.	Chablis Cir.	YIELD
1, Pg. 1	Dubonnet Ct. & Dubonnet Wy.	Dubonnet Wy.	STOP
1, Pg. 1	Kimkris Ct. & Normandy Blvd.	Normandy Blvd.	YIELD
1, Pg. 1	LaTour Cir. & Normandy Blvd.	Normandy Blvd.	YIELD
1, Pg. 1	Normandy Wy., Palais Ct. & Palais Dr.	Normandy Wy.	STOP
1, Pg. 1	Claret Dr. & Normandy Blvd.	NONE	NONE
3, Pg. 3	Emily Dr. & Township Line Rd.	Township Line Rd.	STOP
3, Pg. 3	Emily Dr. & Golden Leaf Way	Emily Dr.	STOP
3, Pg. 3	Golden Leaf Way & Golden Oaks W.	Golden Leaf Way	STOP
3, Pg. 3	Golden Leaf Way & Golden Oaks N.	Golden Oaks N.	STOP
6, Pg. 1	Beanblossom Cir. & Salt Fork Way	Salt Fork Way	YIELD
6, Pg. 2	Hague Rd. & Stonebranch S. Dr.	Hague Rd.	STOP
6, Pg. 3	Hollow Ridge Cir. & Salt Fork Way	Salt Fork Way	STOP
6, Pg. 3	Pocket Hollow Ct. & Stonebranch S. Dr.	Stonebranch S. Dr.	YIELD
6, Pg. 3	Salt Fork Way & Stonebranch N. Dr.	Stonebranch N. Dr.	STOP
6, Pg. 3	Salt Fork Way & Stonebranch S. Dr.	Stonebranch S. Dr.	STOP
6, Pg. 3	Salt Fork Way & 82nd St.	82nd St.	STOP
6, Pg. 4	Stonebranch N. Dr. & Wade Hill Ct.	Stonebranch N. Dr.	YIELD
6, Pg. 2	Glenmore Dr. & Lantern Le.	Glenmore Dr. & Lantern Le. (WB)	STOP

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 33, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
17, Pg. 7	Lafayette Rd. & Eagledale Shopping Center - South Dr.	Lafayette Rd.	SIGNAL

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 230, 1985. This proposal appoints Lt. Hilton J. Cancel to the Community Corrections Advisory Board. Councillor Dowden stated that the Council appoints four persons to the Community Corrections Advisory Board and one of the four must be a person of a minority race. Lt. Cancel has been serving as a proxy on the board and wishes to continue his involvement. Lt. Cancel also has twenty years of law enforcement experience which provides a good understanding of the criminal justice system. The Committee did amend Proposal No. 230, to correct the term that Lt. Cancel will serve. The Public Safety and Criminal Justice Committee on May 8, 1985, recommended Proposal No. 230, 1985, Do Pass As Amended by a vote of 6-0. Councillor Dowden moved, seconded by Councillor Clark, for adoption. Proposal No. 230, 1985, as amended, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Page

Proposal No. 230, 1985, as amended, was retitled COUNCIL RESOLUTION NO. 12, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 12, 1985

A COUNCIL RESOLUTION appointing Lt. Hilton J. Cancel to the Community Corrections Advisory Board.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. As a member of the Community Correction Advisory Board the Council appoints:

LT. HILTON J. CANCEL

SECTION 2. The foregoing appointment shall be effective upon passage of this resolution ending December 31, 1985, at the pleasure of the Council and until his respective successor is appointed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 231, 1985. This proposal changes parking controls on a portion of Brentwood. Councillor Gilmer explained that the Transportation Committee amended Proposal No. 231, to further clarify the intersection to read Brentwood Drive, on the east side, from Breen Drive to Stratford Court. This street is within an apartment complex and has been accepted for maintenance by the City. The Transportation Committee on May 14, 1985, recommended Proposal No. 231, 1985, Do Pass As Amended by a vote of 6-0. Councillor Gilmer moved, seconded by Councillor Nickell, for adoption. Proposal No. 231, 1985, as amended, was adopted on the following roll call vote; viz;

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Page

Proposal No. 231, 1985, as amended, was retitled GENERAL ORDINANCE NO. 34, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 34, 1985

A GENERAL ORDINANCE amending the "of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain designated streets.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

Brentwood Drive, on the east side, from Breen Drive to Stratford Court.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 315, 1985. This proposal reverses a change in policy on economic development bond financing for multi-family residential housing located outside an economic development target area. Councillor Clark stated that most of the companies coming before the Council tonight for permanent financing have had three years to get that financing. The companies were led to believe by the Administration that the Council would support and pass bond issues for permanent financing when this is not the policy of the Council. Councillor Clark moved, seconded by Councillor Stewart for adoption.

Councillor Rhodes made the following motion, seconded by Councillor Journey:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 315, 1985, by deleting Section 2 in its entirety, and renumbering Section 3 as Section 2.

Councillor Rhodes

By supporting this amendment Proposal No. 315 still states the Council' position of not providing permanent financing for multi-family residential housing outside an economic development target area, but does allow for continued construction financing for multi-family residential housing.

Councillor Miller moved, seconded by Councillor Schneider, that the Council recess for 10 minutes. The President recessed the meeting at 9:40 p.m. The President reconvened the meeting of the City-County Council at 10:00 p.m.

The President restated that there is a motion to amend Proposal No. 315, 1985, by deleting Section 2. The motion passed by a voice vote. The President then called for a vote on the main motion, which is the adoption of Proposal No. 315, 1985, as amended. Proposal No. 315, 1985, as amended, was adopted by a voice vote.

Proposal No. 315, 1985, as amended, was retitled COUNCIL RESOLUTION NO. 13, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 13, 1985

A COUNCIL RESOLUTION reversing a change in policy on economic development bond financing for multi-family residential housing located outside an economic development target area and tabling certain proposals until further action by the Economic Development Commission.

WHEREAS, prior to May, 1985, the Indianapolis Economic Development Commission had adopted a policy that economic development bonds would be issued only for construction financing of multi-family residential construction outside an economic development target area; and

WHEREAS, without consultation or approval by this Council, the Indianapolis Economic Development Commission has revised its policies and recommended permanent financing for 35 multi-family residential projects not located in an economic development target area; and

WHEREAS, this Council has not received sufficient economic analysis or financial data to justify such change in policy; and

WHEREAS, the use of economic development bonds for such permanent financing is contrary to the prior policies of this council; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Council determines that its prior policy on permanent financing of multi-family residential housing constructed outside an economic development target area should not be changed.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 255-260, 1985. Councillor Schneider stated that the companies involved in Proposal Nos. 255-260, have stated that they do not want construction financing if they cannot get permanent financing. Councillor Schneider moved, seconded by Councillor Miller to strike Proposal Nos. 255-260, 1985. Proposal Nos. 255-260, 1985, were stricken by voice vote.

PROPOSAL NOS. 261-264 and 266-271, 1985. Councillor Schneider stated that the companies involved in Proposal Nos. 261-264, and 266-271, have stated that they do not want construction financing if they cannot get permanent financing. Councillor Schneider moved, seconded by Councillor Miller to strike Proposal Nos. 261-264 and 266-271, 1985. Proposal Nos. 261-264 and 266-271, 1985, were stricken by voice vote.

PROPOSAL NOS. 272-274 and 289-290, 1985. Councillor Schneider stated that the company involved in Proposal Nos. 272-274, and 289-290, has stated that they do not want construction financing if they cannot get permanent financing. Councillor Schneider moved, seconded by Councillor Miller to strike Proposal Nos. 272-274 and 289-290, 1985. Proposal Nos. 272-274 and 289-290, 1985, were stricken by voice vote.

PROPOSAL NO. 275, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Amli Realty Co., or a limited partnership to be formed with Amli Realty Co., as general partner in an approximate amount of \$7,600,000. Councillor Schneider outlined the project as the construction of 230 units of multi-family residential rental housing to be located at 1527 East Stop 10 Road. Estimated costs for the \$7.6 million project are as follows: \$150,000 land, \$6 million buildings, \$50,000 equipment and \$1,400,000 miscellaneous contingencies. Construction should begin September, 1985 and be complete in April, 1986. The estimated number of additional employment positions at the end of one year total 6 jobs with \$60,000 in additional payroll to the community. The three-year job estimate is 6 positions with \$75,000 in additional payroll. The attorney for Amli Realty Company stated that they would like Proposal No. 275, 1985, amended for construction financing only. Councillor Rhodes made the following motion, seconded by Councillor Schneider:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 275, 1985, by inserting in Section 2 the words underlined as follows:

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$7,600,000 under the Act to be privately placed or a public offering with credit enhancement to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

Councillor Rhodes

The amendment passed by unanimous voice vote. Councillor Schneider moved, seconded by Councillor Rhodes for adoption. Proposal No. 275, 1985, as amended, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Page

Proposal No. 275, 1985, as amended, was retitled SPECIAL RESOLUTION NO. 73, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 73, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development

facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Amlí Realty Co., or a limited partnership to be formed with Amlí Realty Co., as general partner (the "Applicant") has advised the Indianapolis Economic Development Commission and the City that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of approximately 230 units of multifamily residential rental housing contained within a complex of buildings having a total gross building area of approximately 205,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 1527 East Stop 10 Road on approximately 19.3 acres of land, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 6 at the end of one year and 6 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$7,600,000 under the Act to be privately placed or a public offering with credit enhancement to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken

such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 276, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Maple Leaf/Indianapolis, Ltd. in an approximate amount of \$7,600,000. Mr. Larry Crock, attorney for Maple Leaf/Indianapolis, Ltd., stated that the company is not interested in receiving construction financing without permanent financing. Councillor Cottingham moved, seconded by Councillor Clark to strike Proposal No. 276, 1985. Proposal No. 276, 1985, was stricken by voice vote.

PROPOSAL NO. 278, 1985. This proposal is for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Joseph F. Sexton, a corporation controlled by him, or a limited partnership of which he or a corporation controlled by him is the general partner in an approximate amount of \$20,000,000. Councillor Schneider des-

cribed the project as the construction of 538 units of multi-family residential rental housing to be located at 6000 Fall Creek Parkway, North Drive. Estimated costs for the \$20 million project are as follows: \$950,000 land and special requirements, \$9,050,537 buildings, \$3,321,217 general conditions, \$4,229,424 financing costs, \$260,272 start-up costs, \$3,467,241 other development costs and \$721,309 miscellaneous contingencies. Construction should begin October, 1985 and be complete in May, 1986. The estimated number of additional employment positions at the end of one year total 8 jobs with \$120,000 in additional payroll to the community. The three-year job estimate is 8 positions with \$150,000 in additional payroll. Mr. Zeff Wise, attorney for Joseph F. Sexton stated that they would like Proposal No. 278, 1985, amended for construction financing only. Councillor Rhodes made the following motion, seconded by Councillor Clark:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 278, 1985, by inserting in Section 2 the words underlined as follows:

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$20,000,000 under the Act to be privately placed or a public offering with credit enhancement to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

Councillor Rhodes

The amendment passed by unanimous voice vote. Councillor Schneider moved, seconded by Councillor Clark for adoption. Proposal No. 278, 1985, as amended was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Page

Proposal No. 278, 1985, as amended, was retitled SPECIAL RESOLUTION NO. 74, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 74, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Joseph F. Sexton, a corporation controlled by him, or a limited partnership of which he or a corporation controlled by him is the general partner (the "Applicant") has advised the Indianapolis Economic Development Commission and the City that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of approximately 538 units of multifamily residential rental housing contained within a complex of buildings having a total gross building area of approximately 440,086 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 6000 Fall Creek Parkway, North Drive on approximately 61 acres of land, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 8 at the end of one year and 8 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$20,000,000 under the Act to be privately placed or a public offering with credit enhancement to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 279, 1985. This is a proposal for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for a to be formed Indiana limited partnership with Haskel W. Prock as general partner in an approximate amount of \$11,500,000. Councillor Schneider stated that the project is the construction of 300 units of multi-family residential rental housing to be located at 3300 South Lynhurst Drive. Estimated costs for the \$11.5 million project are as follows: \$640,000 land, \$9 million buildings, \$980,000 financing costs, \$180,000 architects and engineering, \$500,000 debt service reserve and \$200,000 miscellaneous contingencies. Construction should begin September, 1985 and be complete in March, 1986. The estimated number of additional employment positions at the end of one year total 6 jobs with \$252,000 in additional payroll to the community. The three-year job estimate is 6 positions with \$278,000 in additional payroll. Mr. Daniel Milton, attorney for Haskel W. Prock stated that they would like Proposal No. 279, 1985, amended for construction financing only. Councillor Rhodes made the following motion, seconded by Councillor Miller:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 279, 1985, by inserting in Section 2 the words underlined as follows:

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$11,500,000 under the Act to be privately placed or a public offering with credit enhancement to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

Councillor Rhodes

The amendment passed by unanimous voice vote. Councillor Schneider moved, seconded by Councillor Clark for adoption. Proposal No. 279, 1985, as amended, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Page

Proposal No. 279, 1985, as amended, was retitled SPECIAL RESOLUTION NO. 75, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 75, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, a to be formed Indiana limited partnership with Haskel W. Prock as general partner (the "Applicant") has advised the Indianapolis Economic Development Commission and the City that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of approximately 300 units of multifamily residential rental housing contained within a complex of buildings having a total gross building area of approximately 270,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 3300 South Lynhurst Drive on approximately 32 acres of land, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 6 at the end of one year and 6 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$11,500,000 under the Act to be privately placed or a public offering with credit enhancement to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 280, 1985. This proposal is for an inducement resolution authorizing certain proceedings with respect to proposed economic development

bond financing for W. J. McCullough or any entity designated by him in an approximate amount of \$45,000,000. Councillor Schneider stated that the developer nor a representative is present and moved, seconded by Councillor Miller to strike Proposal No. 280, 1985. Proposal No. 280, 1985, was stricken by voice vote.

PROPOSAL NO. 281, 1985. This proposal is for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Park Place Associates in an approximate amount of \$2,000,000. Councillor Schneider outlined the project as the renovation of IPS Building No. 66 to the 38 units of multi-family residential rental housing to be located at 604 East 38th Street. The project will also include four medical/dental offices, which are not included in this bond issue. Estimated costs for the \$2 million project are as follows: \$1,850,000 building and \$150,000 miscellaneous contingencies. Construction should begin August, 1985 and be complete in March, 1986. The estimated number of additional employment positions at the end of one year total 9 jobs with \$108,000 in additional payroll to the community. The three-year job estimate is 9 positions with \$120,000 in additional payroll. Councillor Schneider pointed out that this project is located in an economic development target area and does not need to be amended. Councillor Schneider moved, seconded by Councillor Rhodes for adoption. Proposal No. 281, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Page

Proposal No. 281, 1985, was retitled **SPECIAL RESOLUTION NO. 76, 1985**, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 76, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Park Place Associates (the "Applicant") has advised the Indianapolis Economic Development Commission and the City that it proposes that the Issuer either acquire, renovate, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, renovation, construction, conversion, improvement, installation and equipping of approximately 38 units of multifamily residential rental housing contained within a portion of an existing building that has a total gross building area of approximately 58,000 square feet; the acquisition and installation of machinery, equipment, fixtures and furnishings for use therein; and the acquisition, construction, installation and equipping of various site improvements at the building to be located at 604 East 38th Street on approximately 1.7 acres of land, in Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 9 at the end of one year and 9 at the end of three years) to be achieved by the acquisition, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$2,000,000 under the Act to be privately placed or a public offering with credit enhancement to provide financing for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, installation and equipping of the Project, the City-County Council hereby

finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 283 and 284, 1985. These are proposals for inducement resolutions authorizing certain proceedings with respect to proposed economic development bond financing for Landmark-Boulders Phase II in an approximate amount of \$9,350,000 and Shore Acres on the Lake Associates in an approximate amount of \$9,630,000 respectively. Mr. Mike Cook, attorney representing both companies stated that they did not want construction financing only. Councillor Clark moved, seconded by Councillor Rhodes, to strike Proposal Nos. 283 and 284, 1985. Proposal Nos. 283 and 284, 1985, were stricken by voice vote.

PROPOSAL NO. 285, 1985. This proposal is for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Stenz & Associates in an approximate amount of \$16,500,000. Councillor Schneider described the project as the rehabilitation of a total of

483 units of multi-family residential rental housing to be located at various locations as follows: Broad Ripple, 1050 Riviera Dr. East, 40 units; Sears Parcel No. 4 & 3, South Half of Block bounded by New Jersey and East Street and Vermont, 100 units; Lockerbie Peaks Apartments, 617 Vermong Place, 15 units; Howland Manor Apartments, 3753 North Meridian Street, 19 units; Vernon Courts Apartments, 3420 North Meridian Street, 19 units; Buckingham Balmoral, 3103 North Meridian Street, 76 units; 127 East Michigan Street, 50 units; 3707 North Meridian Street, 24 units; Browning Apartments a) 3720 North Meridian Street - 25 units, b) 3726 North Meridian Street - 20 unites, c) 3429 North Capitol Avenue - 18 units, d) 5347 North College Avenue - 50 units, and e) 3310 North Meridian Street - 27 units. Estimated costs for the \$16.5 million project are as follows: \$933,000 land, \$19,183,263 buildings and \$3,607,237 miscellaneous contingencies. Construction should begin June, 1985 and be complete by December 31, 1985. The estimated number of additional employment positions at the end of one year total 41 jobs with \$650,000 in additional payroll to the community. The three-year job estimate is 41 positions with \$745,000 in additional payroll. Mr. James T. Crawford, corporation counsel, stated that the developer would like Proposal No. 285, 1985, amended for construction financing only. Councillor Rhodes made the following motion, seconded by Councillor Clark:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 285, 1985, by inserting in Section 2 the words underlined as follows:

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$16,500,000 under the Act to be privately placed or a public offering with credit enhancement to provide interim (construction) financing for the acquisition, renovation, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

Councillor Rhodes

The amendment passed by unanimous voice vote. Councillor Schneider moved, seconded by Councillor Rhodes, for adoption. Proposal No. 285, 1985, as amended, was adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

1 NOT VOTING: *Page*

Proposal No. 285, 1985, as amended, was retitled SPECIAL RESOLUTION NO. 77, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 77, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Stenz & Associates or a partnership or partnerships to be formed by the principals of Stenz & Associates (the "Applicant") has advised the Indianapolis Economic Development Commission and the City that it proposes that the Issuer either acquire, renovate, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, renovation, construction, installation and equipping of various multifamily residential rental housing projects as follows: a) Lockerbie Peaks Apartments (617 Vermont Place), b) Howland Manor Apartments (3753 North Meridian), c) Vernon Court Apartments (3420 North Meridian), d) Buckingham Balmoral Apartments (3103 North Meridian), e) 127 East Michigan Street, f) 3707 North Meridian Street, g) Browning Apartments (3720 North Meridian, 3726 North Meridian, 3429 North Capitol, 5347 North College and 3310 North Meridian), h) Sears Parcel No. 4 and 3 (South half of block bounded by New Jersey and East Street and Vermont), i) Broad Ripple Project 1050 Riviera Drive East and the machinery and equipment to be installed therein plus certain site improvements to be located in Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 41 at the end of one year and 41 at the end of three years) to be achieved by the acquisition, renovation, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, renovation, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$16,500,000 under the Act to be privately placed or a public offering with credit enhancement to provide interim (construction) financing for the acquisition, renovation, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during renovation, construction, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the

same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 286, 1985. This proposal is for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for South Emerson Associates in an approximate amount of \$6,000,000. Councillor Schneider stated that the project is the construction of 180 units of multi-family residential rental housing to be located on 15 acres at the northeast corner of the intersection of South Emerson and Shelbyville Road. Estimated costs for the \$6 million project are as follows: \$400,000 land, \$4,800,000 buildings (construction and equipping), \$360,000 financing fees, \$200,000 architects, engineers, legal, \$150,000 miscellaneous contingencies and \$425,000 debt service reserve. Construction should begin October, 1985 and be complete in July, 1986. The estimated number of additional employment positions at the end of one year total 6 jobs plus 15-20 construction jobs with \$236,500 in additional payroll to the community. The three-year job estimate is 6 positions plus 15-20 construction jobs with \$236,500 in additional payroll. Mr. James Capehart, attorney for the developer, stated that they would like Proposal No. 286, 1985, amended for construction financing only. Councillor Rhodes made the following motion, seconded by Councillor Clark:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 286, 1985, by inserting in Section 2 the words underlined as follows:

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$6,000,000 under the Act to be privately placed or a public offering with credit enhancement to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the

sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

Councillor Rhodes

The amendment passed by unanimous voice vote. Councillor Schneider moved, seconded by Councillor Rhodes for adoption. Proposal No. 286, 1985, as amended, was adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

1 NOT VOTING: *Page*

Proposal No. 286, 1985, as amended, was retitled SPECIAL RESOLUTION NO. 78, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 78, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, South Emerson Associates (the "Applicant") has advised the Indianapolis Economic Development Commission and the City that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of approximately 180 units of multifamily residential rental housing contained within a complex of buildings and the machinery and equipment to be installed therein plus certain site improvements to be located at South Emerson and Shelbyville on approximately 15 acres of land, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 6 full time and 15-20 part-time at the end of one year and 6 full time and 15-20 part-time at the end of three years) to be

achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$6,000,000 under the Act to be privately placed or a public offering with credit enhancement to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 287, 1985. This proposal is for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Stop 12 Associates in an approximate amount of \$11,000,000. Councillor Schneider outlined the project as the construction of 312 units of multi-family residential rental housing to be located on 26 acres on the northwest corner of the intersection of Stop 12 Road and Shelby Street. Estimated costs for the \$11 million project are as follows: \$681,000 land, \$8,300,000 buildings (construction and equipping), \$620,000 financing fees, \$340,500 architects, engineers, legal, \$248,000 miscellaneous contingencies and \$743,000 debt service reserve. Construction should begin October, 1985 and be complete in July, 1986. The estimated number of additional employment positions at the end of one year total 6 jobs plus 15-20 construction jobs with \$410,000 in additional payroll to the community. The three-year job estimate is 6 positions plus 15-20 construction jobs with \$410,000 in additional payroll. Mr. James Capehart, attorney for the developer, stated that they would like Proposal No. 287, 1985, amended for construction financing only. Councillor Rhodes made the following motion, seconded by Councillor Clark:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 287, 1985, by inserting in Section 2 the words underlined as follows:

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$11,000,000 under the Act to be privately placed or a public offering with credit enhancement to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

Councillor Rhodes

The amendment passed by unanimous voice vote. Councillor Schneider moved, seconded by Councillor Rhodes for adoption. Proposal No. 287, 1985, as amended, was adopted on the following roll call vote; viz:

27 AYES: *Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

1 NAY: *Borst*

1 NOT VOTING: *Page*

Proposal No. 287, 1985, as amended, was retitled SPECIAL RESOLUTION NO. 79, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 79, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Stop 12 Associates, a to be formed Indiana limited partnership (the "Applicant") has advised the Indianapolis Economic Development Commission and the City that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition,

construction, installation and equipping of approximately 312 units of multifamily residential rental housing contained within a complex of buildings and the machinery and equipment to be installed therein plus certain site improvements to be located at Stop 12 Road and Shelby Street on approximately 26 acres of land, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 6 full time and 15-20 part-time at the end of one year and 6 full time and 15-20 part-time at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$11,000,000 under the Act to be privately placed or a public offering with credit enhancement to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstand-

ing principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 288, 1985. This proposal is for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for William A. Schmadeke and/or any to be formed partnership of which he is a partner in an approximate amount of \$1,800,000. Councillor Schneider described the project as the construction of 50 units of multi-family residential rental housing to be located at 7700 East 21st Street. Estimated costs for the \$1.8 million project are as follows: \$98,000 land, \$1,338,000 buildings, \$100,700 equipment, \$54,500 other, \$40,000 miscellaneous contingencies and \$120,500 debt service reserve. Construction should begin September, 1985 and be complete in May, 1986. The estimated number of additional employment positions at the end of one year total 2 1/2 jobs with \$65,200 in additional payroll to the community. The three-year job estimate is 2 1/2 positions with \$65,200 in additional payroll. Mr. William Schmadeke, developer, stated that they would like Proposal No. 288, 1985, amended for construction financing only. Councillor Rhodes made the following motion, seconded by Councillor Clark:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 288, 1985, by inserting in Section 2 the words underlined as follows:

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$1,800,000 under the Act to be privately placed or a public offering with credit enhancement to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

Councillor Rhodes

The amendment passed by unanimous voice vote. Councillor Schneider moved, seconded by Councillor Rhodes, for adoption. Proposal No. 288, 1985, as amended, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Page

Proposal No. 288, 1985, as amended, was retitled SPECIAL RESOLUTION NO. 80, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 80, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, William A. Schmadeke and/or any to be formed partnership of which he is a partner (the "Applicant") has advised the Indianapolis Economic Development Commission and the City that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of approximately 50 units of multifamily residential rental housing contained within a complex of buildings and the machinery and equipment to be installed therein plus certain site improvements to be located at 7700 East 21st Street on approximately 4.4 acres of land, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately $2\frac{1}{2}$ at the end of one year and $2\frac{1}{2}$ at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$1,800,000 under the Act to be privately placed or a public offering with credit enhancement to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the

caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 161, 1985. This proposal is for an inducement resolution authorizing interim (construction) financing for Jack E. Kovich, David C. Kovich and Chris C. Kovich d/b/a The Sanctuary Development Company, an Indiana Limited Partnership in an approximate amount of \$35,000,000. Councillor Schneider stated that the project is the construction of 920 units of multi-family residential rental housing to be located on West 46th Street immediately west of I-465. Estimated costs for the \$50 million project are as follows: \$48 million buildings and \$2 million miscellaneous contingencies. Construction should begin during the summer of 1985. The estimated number of additional employment positions at the end of one year total 9 jobs with \$190,000 in additional payroll to the community. The three-year job estimate is 26 positions with \$380,000 in additional payroll. The Economic Development Committee on May 1, 1985, amended Proposal No. 161, from the above mentioned company to HPD Partners, an Indiana General Partnership and also amended it to include permanent financing. Mr. Bob Wildman, representing the developer, stated that they would like Proposal No. 161, 1985, amended for construction financing only. Councillor Rhodes made the following motion, seconded by Councillor Schneider:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 161, 1985, by inserting in Section 2 the words underlined as follows:

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Fifty Million Dollars (\$50,000,000) under the Act to be privately placed or a public offering with credit enhancement to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to HPD Partners, an Indiana General partnership, or its assigns or its successors (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

Councillor Rhodes

The amendment passed by a unanimous voice vote. Councillor Schneider moved, seconded by Councillor Clark, for adoption. Proposal No. 161, 1985, as amended, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Page

Proposal No. 161, 1985, as amended, was retitled SPECIAL RESOLUTION NO. 81, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 81, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, HPD Partners, an Indiana General partnership, or its assigns or its successors (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to provide financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of approximately 920 units of multifamily residential rental housing contained in a complex of buildings and the machinery and equipment to be installed therein plus certain site improvements to be developed in five phases to be located at 46th Street and I-465 West on approximately 80 acres of land, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 10 at the end of one year and 33 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of Fifty Million Dollars (\$50,000,000) under the Act to be privately placed or a public offering with credit enhancement to provide interim (construction) financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to HPD Partners, an Indiana General partnership, or its assigns or its successors (the "Company") or the loaning of the proceeds of such financing to

the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et. seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL SERVICE DISTRICT COUNCILS

There being no business before any of the Special Service District Councils, none of the Special Service District Councils convened.

NEW BUSINESS

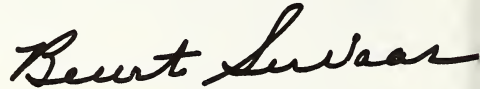
President SerVaas announced the Council members on the Community Development Task Force, which are as follows: Dr. Borst, Mrs. Bradley, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Rader, Mr. Shaw and Mr. Strader.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business and upon motion duly made and seconded, the meeting adjourned at 10:39 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and the Indianapolis, Police, Fire and Solid Waste Collection Special Service District Councils on the 20th day of May, 1985.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President



Clerk of the City-County Council

ATTEST:

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND SPECIAL SERVICE DISTRICT COUNCILS
OF INDIANAPOLIS, MARION COUNTY, INDIANA**

REGULAR MEETINGS - MONDAY, JUNE 10, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m., on Monday, June 10, 1985, with Councillor SerVaas presiding.

The meeting was opened with a prayer by Dr. Andrew Brown of St. John's Missionary Church, and the Pledge of Allegiance to the Flag was let by Councillor Rozelle Boyd.

ROLL CALL

Councillor SerVaas instructed the Clerk to take the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

ABSENT: Strader

Twenty-eight members being present, he announced a quorum was present.

INTRODUCTION OF GUESTS

Councillor McGrath introduced Dr. and Mrs. Greg Dixon and members of the Indianapolis Baptist Temple. Councillor McGrath also introduced Officer Tom Sims and other members of the Homcroft Police Department. Councillor Miller also recognized Dr. and Mrs. Harry Yen.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

**TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE,
FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT
COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,
INDIANA:**

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, June 10, 1985, at 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

**s/Beurt SerVaas, President
City-County Council**

May 28, 1985

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on May 30, 1985, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 291, 1985, to be held on Monday, June 10, 1985, at 7:00 p.m., in the City-County Building.

Respectfully,

**s/Beverly S. Rippy
City Clerk**

May 23, 1985

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 38, 1985, amending the City-County Annual Budget for 1985 appropriating an additional One Hundred Thousand Dollars (\$100,000) in the Consolidated County Fund for purposes of the Department of Administration, Legal Division and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

FISCAL ORDINANCE NO. 39, 1985, amending the City-County Annual Budget for 1985 appropriating an additional Six Thousand Six Hundred Dollars (\$6,600) in the County General Fund for purposes of various Marion County Agencies and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 40, 1985, approving temporary tax anticipation borrowing, authorizing the City of Indianapolis to make temporary loans for the use of the Park District Fund, Consolidated County Fund, the Consolidated City Police Force Account, the Police Pension Fund, the Consolidated City Fire Force Account, the Firemen's Pension Fund, and the Sanitary Solid Waste General Fund during the period July 1, 1985, to December 31, 1985, in anticipation of current taxes levied in the year 1984 and collectible in the year 1985, authorizing the issuance of tax anticipation time warrants to evidence such loans; pledging and appropriating the taxes to be received in said Funds to the payment of said tax anticipation time warrants including interest thereon; and fixing a time when this ordinance shall take effect.

FISCAL ORDINANCE NO. 41, 1985, amending the City-County Annual Budget for 1985 appropriating an additional Twenty-six Thousand Three Hundred Dollars (\$26,300) in the City General Fund for purposes of the Department of Administration, Office of the Director and reducing the unappropriated and unencumbered balance in the City General Fund.

FISCAL ORDINANCE NO. 42, 1985, amending the City-County Annual Budget for 1985 appropriating an additional Two Hundred Thirty-six Thousand Dollars (\$236,000) in the City General Fund for purposes of the Department of Administration, Office of the Director and reducing the unappropriated and unencumbered balance in the City General Fund.

FISCAL ORDINANCE NO. 43, 1985, amending the City-County Annual Budget for 1985 appropriating an additional Fifteen Thousand Dollars (\$15,000) in the Consolidated County Fund for purposes of the Department of Administration, Records Division and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

FISCAL ORDINANCE NO. 44, 1985, amending the City-County Annual Budget for 1985 appropriating an additional Six Hundred Fourteen Dollars (\$614) in the County General Fund for purposes of the Marion County Assessor and reducing certain other appropriations for the Marion County Assessor.

FISCAL ORDINANCE NO. 46, 1985, amending the City-County Annual Budget for 1985 appropriating an additional Five Thousand Dollars (\$5,000) in the County General Fund for purposes of the Superior Court, Criminal Division Probation Department and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 49, 1985, amending the City-County Annual Budget for 1985 appropriating an additional Twenty-five Thousand Dollars (\$25,000) in the State and Federal Grant Fund for purposes of the Marion County Prosecuting Attorney and reducing certain other appropriations for the Marion County Auditor and the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 50, 1985, amending the City-County Annual Budget for 1985 transferring and appropriating Four Thousand Dollars (\$4,000) in the Consolidated County Fund for purposes of the City-County Council and reducing certain other appropriations for that division.

GENERAL ORDINANCE NO. 31, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-270, Parking prohibited during specified hours on certain days.

GENERAL ORDINANCE NO. 32, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 33, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 34, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain designated streets.

SPECIAL RESOLUTION NO. 66, 1985, supporting the renovation of the State Soldiers' and Sailors' Monument.

SPECIAL RESOLUTION NO. 67, 1985, amending City-County Special Resolution No. 92, 1981 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 68, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 69, 1985, amending City-County Special Resolution No. 102, 1983 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL ORDINANCE NO. 70, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL ORDINANCE NO. 71, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL ORDINANCE NO. 72, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL ORDINANCE NO. 73, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL ORDINANCE NO. 74, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL ORDINANCE NO. 75, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL ORDINANCE NO. 76, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL ORDINANCE NO. 77, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL ORDINANCE NO. 78, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL ORDINANCE NO. 79, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL ORDINANCE NO. 80, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL ORDINANCE NO. 81, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

Respectfully submitted,

s/William H. Hudnut, III

ADOPTION OF AGENDA

Consent was given for the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of June 10, 1985.

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections for the Journal of April 15, 1985. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS --

PROPOSAL NO. 363, 1985. This proposal honors the Perry Meridian 1985 Brain Game Championship Team. Councillor Borst, co-sponsor, read the resolution and introduced members of the team that were present. Councillors Miller and SerVaas helped present signed resolutions to the team members. Councillor Borst moved, seconded by Councillor Miller for adoption. Proposal No. 363, 1985, was adopted by unanimous voice vote and retitled SPECIAL RESOLUTION NO. 82, 1985, and reads as follows:

CITY-COUNTY COUNCIL SPECIAL RESOLUTION NO. 82, 1985

A SPECIAL RESOLUTION honoring Perry Meridian's 1985 Brain Game Championship Team.

WHEREAS, the Perry Meridian High School Brain Game Team won the 1985 WTHR Channel 13 High School Brain Game Television Championship; and

WHEREAS, the School is only in its fourth year of competition for this academic honor; and

WHEREAS, only one team member is presently a senior; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council congratulates Perry Meridian's 1985 Brain Game Team Champions: David Hollinden, Matt Kinsey, Dave Stone, Randy Head, along with alternates Maria LaRosa and Pete Miller; Team Vice President Laura Pierce; and sponsors Mr. David Moulton and Mrs. JoAnn Brown; along with Perry Meridian Principal James Head and Superintendent of Perry Township Schools Dr. Raymond Fatheree.

SECTION 2. The City-County Council encourages excellence in academics as furthering our image as an "All American City" as well as setting high standards for our youth.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 364, 1985. This proposal honors Perry Meridian's Grace Yen. Councillor Borst, co-sponsor, read the resolution and pointed out that Miss Yen is graduating with a straight "A" average and is only one of one hundred and forty-one to receive a Presidential Scholarship. Councillor Borst introduced Miss Yen and her parents, Dr. and Mrs. Yen. Councillor Borst moved, seconded by Councillor Miller for adoption. Proposal No. 364, 1985, was adopted by unanimous voice vote and retitled SPECIAL RESOLUTION NO. 83, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 83, 1985

A SPECIAL RESOLUTION honoring Perry Meridian's Grace Yen.

WHEREAS, Grace Yen is Perry Meridian's valedictorian, graduating with a straight A average; and

WHEREAS, Grace Yen has served as President of Falcon's Against Drinking and Drugs; has been a member of the Perry Meridian's Orchestra and Track Team and is a member of the National Honor Society; and

WHEREAS, Grace Yen will be honored in Washington, D.C. the week of June 16th as one of only 141 Presidential Scholars in the United States which is based on academic excellence, achievement in the visual and performing arts, contributions to school and community and achievements in the sciences; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council honors Perry Meridian's Grace Yen for her academic and extracurricular achievements.

SECTION 2. The City-County Council further congratulates Grace for being one of only 141 Presidential Scholars in the United States out of 3,000,000 graduating seniors.

SECTION 3. The City-County Council expresses pride in Grace Yen for bringing honor to the City of Indianapolis as well as setting an admirable example for this City.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 365, 1985. This proposal recognizes Dr. and Mrs. Greg Dixon's Thirtieth Anniversary with the Indianapolis Baptist Temple. Councillor McGrath introduced Dr. and Mrs. Dixon and read the resolution. Dr. Dixon thanked the Council for this presentation and thanked his parishioners for their support through these last thirty years. Councillor McGrath moved, seconded by Councillor Schneider for adoption. Proposal No. 365, 1985, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 84, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 84, 1985

A SPECIAL RESOLUTION recognizing Dr. and Mrs. Greg Dixon's Thirtieth Anniversary with the Indianapolis Baptist Temple.

WHEREAS, in June of 1955 Dr. Dixon began his leadership of the Indianapolis Baptist Temple; and

WHEREAS, under Dr. Dixon's guidance it has become one of America's fastest growing churches and is recognized as the eleventh largest Sunday School in America; and

WHEREAS, through Pastor Dixon's efforts the Indianapolis Baptist Temple now has a large department for both retarded and the deaf, major extension work among local hospitals and nursing homes, major educational programs, television, radio, and bus ministries, and a world-wide outreach program in World Missions with monthly support to both Missionaries and Mission Enterprises; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council of Indianapolis and Marion County, Indiana recognizes and congratulates Dr. and Mrs. Greg Dixon on their Thirtieth Anniversary with the Indianapolis Baptist Temple.

SECTION 2. The City-County Council further expresses its best wishes for Dr. Dixon and his many efforts on behalf of his congregation.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 366, 1985. This proposal honors John Patterson. Councillor Boyd, co-sponsor in the absence of Councillor Strader, read the resolution and introduced Mr. Patterson and personally thanked Mr. Patterson for his years of dedication to the children of Marion County. Mr. Patterson thanked the Council for this presentation and introduced his son, John. Councillor Boyd moved, seconded by Councillor Journey for adoption. Proposal No. 366, 1985, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 85, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 85, 1985

A SPECIAL RESOLUTION honoring John Patterson.

WHEREAS, John Patterson has been a long-time referee and official at Indiana High School Athletic Association basketball, volleyball, track and football games; and

WHEREAS, Mr. Patterson has been a motivating force for youth and education in Indianapolis for many years from his service as an elementary school teacher up through his guidance as principal of Indianapolis Public School 27; and

WHEREAS, John Patterson is retiring this year as Principal of School 27; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council expresses its appreciation to John Patterson for the enrichment he gave to the lives of so many of our students over the years.

SECTION 2. The Council further extends best wishes and hopes for continued success to Mr. Patterson.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 339, 1985. Introduced by Councillor Cottingham. The Clerk read the proposals entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$2,590 for the Lawrence, Pike and Wayne Township Assessor for increased postage, mileage and other expenses"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 340, 1985. Introduced by Councillor Cottingham. The Clerk read the proposals entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$3,000 for the Lawrence Township Assessor to increase personal services due to the increased parcels and homes in the township"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 341, 1985. Introduced by Councillor Dowden. The Clerk read the proposals entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$14,900 for the Clerk of the Circuit Court for two clerks to assist the Title IV-D Commissioner"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 342, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "A Proposal for a GENERAL ORDINANCE approving a petition for transfer of territory within the Consolidated City to the excluded City of Beech Grove"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 343, 1985. Introduced by Councillor Clark. The Clerk read the proposals entitled: "A Proposal for a GENERAL ORDINANCE amending the Code to allow the Council to review bond issues proposed by the Municipal Corporations"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 344, 1985. Introduced by Councillor Dowden. The Clerk read the proposals entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT GENERAL ORDINANCE amending the Code concerning the merit system for members of the Indianapolis Police Department"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 345, 1985. Introduced by Councillor Dowden. The Clerk read the proposals entitled: "A Proposal for a GENERAL RESOLUTION authorizing the Community Corrections Advisory Board to contract with agencies to provide residential space and services for a community corrections program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 346, 1985. Introduced by Councillor Dowden. The Clerk read the proposals entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$208,503 for the Community Corrections Advisory Board to continue the Community Corrections Program for the second half of 1985"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 347, 1985. Introduced by Councillor Dowden. The Clerk read the proposals entitled: "A Proposal for a FISCAL ORDINANCE transferring \$500 for Superior Court, Civision Division, Room Five to purchase equipment"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 348, 1985. Introduced by Councillor Dowden. The Clerk read the proposals entitled: "A Proposal for a FISCAL ORDINANCE transferring \$750 for Superior Court, Civision Division, Room Seven to purchase equipment"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 349, 1985. Introduced by Councillor Dowden. The Clerk read the proposals entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$41,600 for Superior Court, Roving Court Reporter for a full time commissioner

and two bailiffs to hear Title IV-D Cases"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 350, 1985. Introduced by Councillor Dowden. The Clerk read the proposals entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$47,696 for the Presiding Judge of the Municipal Court for an Initial Hearing Court for all OVWI's"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 351, 1985. Introduced by Councillor Dowden. The Clerk read the proposals entitled: "A Proposal for a FISCAL ORDINANCE authorizes changes in the personnel compensation schedule of the Presiding Judge of the Municipal Court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 352, 1985. Introduced by Councillor Dowden. The Clerk read the proposals entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$45,254 for the Prosecuting Attorney for the Youth Resource Center Federal Grant and a Driving While Intoxicated Project"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 353, 1985. Introduced by Councillor Dowden. The Clerk read the proposals entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$24,113 for the Prosecuting Attorney for expenses pertaining to the Pre-Trial Diversion Program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 354, 1985. Introduced by Councillor Dowden. The Clerk read the proposals entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$36,800 for the Prosecutor's Child Support IV-D Agency for office rental for the relocation of the agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 355, 1985. Introduced by Councillor Dowden. The Clerk read the proposals entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$15,100 for the Prosecutor's Child Support IV-D Agency to employ one additional deputy prosecutor for Title IV-D Cases"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 356, 1985. Introduced by Councillor West. The Clerk read the proposals entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$23,424 for the Air Pollution Control Division for training and retaining qualified personnel"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 357, 1985. Introduced by Councillor Coughenour. The Clerk read the proposals entitled: "A Proposal for a GENERAL ORDINANCE setting the amounts of the surety bonds for the directors and the executive director of the Indianapolis Local Public Improvement Bond Bank"; and the President referred it to the Administration Committee.

PROPOSAL NO. 358, 1985. Introduced by Councillor Coughenour. The Clerk read the proposals entitled: "A Proposal for a GENERAL RESOLUTION authorizing the City Controller to make a grant of \$10,000 to the Indianapolis Local Public Improvement Bond Bank"; and the President referred it to the Administration Committee.

PROPOSAL NO. 359, 1985. Introduced by Councillor Gilmer. The Clerk read the proposals entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$2,550,000 for the Department of Transportation to complete the 1984 resurfacing program"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 360, 1985. Introduced by Councillor Gilmer. The Clerk read the proposals entitled: "A Proposal for a FISCAL ORDINANCE transferring \$7,500 for the Parking Meter Division for increased supply expenditures"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 361, 1985. Introduced by Councillor Gilmer. The Clerk read the proposals entitled: "A Proposal for a GENERAL ORDINANCE establishing a loading zone on a portion of Massachusetts Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 362, 1985. Introduced by Councillor Hawkins. The Clerk read the proposals entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of Senate Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 367, 1985. Introduced by Councillor SerVaas. The Clerk read the proposals entitled: "A Proposal for a COUNCIL RESOLUTION instructing the County Commission of Public Records of Marion County to examine record storage and retrieval"; and the President referred it to the Administration Committee.

PROPOSAL NO. 368, 1985. Introduced by Councillor West. The Clerk read the proposals entitled: "A Proposal for a GENERAL ORDINANCE establishing an Emergency Communications Agency to provide a countywide emergency communications system"; and the President referred it to the Public Safety and Criminal Justice Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 320-322, 326, 328, 330-333, 1985. Councillor Schneider explained that Proposal Nos. 320-322, 326, 328, 330-333, 1985, are inducement resolutions which grant an extension of the expiration date contained in previously adopted special resolutions for various projects from June 30, 1985, to January 31, 1986. The Economic Development Committee recommended Proposal Nos. 320-322, 326, 328, 330-333, 1985, Do Pass on June 5, by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 320, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*
NO NAYS

3 NOT VOTING: *Borst, Page, Strader*

Proposal No. 320, 1985, was retitled SPECIAL RESOLUTION NO. 86, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 86, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 72, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 72, 1984 as amended by Special Resolution No. 110, 1984 has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Massachusetts Point Partners, Ltd. (the "Company") which Special Resolution as amended contained an expiration date of June 30, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 72, 1984 as amended by Special Resolution No. 110, 1984 is hereby amended by deleting the expiration date of June 30, 1985 contained therein and replacing said date with the date of January 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 72, 1984 as amended by Special Resolution No. 110, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 321, 1985, was adopted on the following roll call vote; viz:

26 AYES: Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West
NO NAYS

3 NOT VOTING: Borst, Page, Strader

Proposal No. 321, 1985, was retitled SPECIAL RESOLUTION NO. 87, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 87, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 75, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 75, 1984 as amended by Special Resolution No. 111, 1984 has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Massachusetts Avenue Realty (the "Company") which Special Resolution as amended set an expiration date of June 30, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 75, 1984 as amended by Special Resolution No. 111, 1984 is hereby amended by deleting the expiration date of June 30, 1985 contained therein and replacing said date with the date of January 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 75, 1984 as amended by Special Resolution No. 111, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 322, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*
NO NAYS

3 NOT VOTING: *Borst, Page, Strader*

Proposal No. 322, 1985, was retitled SPECIAL RESOLUTION NO. 88, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 88, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 77, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 77, 1984 as amended by Special Resolution No. 113, 1984 has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by JMH Partners (the "Company") which Special Resolution as amended set an expiration date of June 30, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 75, 1984 as amended by Special Resolution No. 113, 1984 is hereby amended by deleting the expiration date of June 30, 1985 contained therein and replacing said date with the date of January 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 77, 1984 as amended by Special Resolution No. 113, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 326, 1985, was adopted on the following roll call vote; viz:

26 AYES: Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey,

McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West
NO NAYS

3 NOT VOTING: Borst, Page, Strader

Proposal No. 326, 1985, was retitled SPECIAL RESOLUTION NO. 89, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 89, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 107, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 107, 1984 has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Congregate Housing Partnership (the "Company") which Special Resolution set an expiration date of June 30, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 107, 1984 is hereby amended by deleting the expiration date of June 30, 1985 contained therein and replacing said date with the date of January 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 107, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 328, 1985, was adopted on the following roll call vote; viz:

24 AYES: Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart

NO NAYS

5 NOT VOTING: Borst, Curry, Durnil, Strader, West

Proposal No. 328, 1985, was retitled SPECIAL RESOLUTION NO. 90, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 90, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 101, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 101, 1984 has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Web Realty of Indianapolis, Ltd. (the "Company") which Special Resolution set an expiration date of June 30, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 101, 1984 is hereby amended by deleting the expiration date of June 30, 1985 contained therein and replacing said date with the date of January 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 101, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 330, 1985, was adopted on the following roll call vote; viz:

23 AYES: *Boyd, Bradley, Campbell, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart*

1 NAY: *Cottingham*

5 NOT VOTING: *Borst, Clark, Hawkins, Strader, West*

Proposal No. 330, 1985, was retitled SPECIAL RESOLUTION NO. 91, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 91, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 15, 1983 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 15, 1983 has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by a corporation to be formed by the merger of J-C Products Corporation and Aluminum Finishing Corporation of Indiana, or a partnership to be formed consisting of the principals of J-C Products Corporation and Aluminum Finishing Corporation, or a partnership to be formed consisting of the principals of J-C Products Corporation and Aluminum Finishing Corporation of Indiana, and the General Contractor (the "Company"); and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution and it is desirable to place an expiration date on the previously adopted Special Resolution No. 15, 1983; now therefore

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 15, 1983 is hereby amended by deleting Section 3 and Section 4 thereof and inserting in lieu thereof the following: SECTION 3. In order to induce the Company to continue to proceed with the acquisition, construction, installation and equipping of the Project, this body hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuant thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; and (ii) it will adopt such resolutions and authorize the execution and delivery of such instruments and the

taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of City-County Special Resolution No. 15, 1983, including reimbursement or repayment to the Company of money expended by the Company for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 15, 1983 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 331, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart*
NO NAYS

4 NOT VOTING: *Borst, Page, Strader, West*

Proposal No. 331, 1985, was retitled SPECIAL RESOLUTION NO. 92, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 92, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 61, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 61, 1984 has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by 407 Associates, Ltd., a to be formed Indiana limited partnership in which Robert E. Carr will be a general partner, and/or Robert Carr (the "Company"); and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution and it is desirable to place an expiration date on the previously adopted Special Resolution No. 61, 1984; now therefore

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 61, 1984 is hereby amended by deleting Section 3 and Section 4 thereof and inserting in lieu thereof the following: SECTION 3. In order to induce the Company to continue to proceed with the acquisition, construction, installation and equipping of the Project, this body hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuant thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; and (ii) it will adopt such resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, subject to the caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12. SECTION 4. All costs of the Project incurred after the passage of City-County Special Resolution No. 61, 1984, including reimbursement or repayment to the Company of money expended by the Company for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 61, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 332, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

NO NAYS

2 NOT VOTING: *Borst, Strader*

Proposal No. 332, 1985, was retitled SPECIAL RESOLUTION NO. 93, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 93, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 104, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 104, 1984 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by 4 V's, an Indiana limited partnership (the "Company") which Special Resolution set an expiration date of June 30, 1985 unless the economic development revenue bonds for the Project have been good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 104, 1984 as amended by Special Resolution No. 110, 1984 is hereby amended by deleting the expiration date of June 30, 1985 contained therein and replacing said date with the date of January 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 104, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 333, 1985, was adopted on the following roll call vote; viz:

23 AYES: *Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Rader, Rhodes, Schneider, Shaw, Stewart*

NO NAYS

6 NOT VOTING: *Borst, Nickell, Page, SerVaas, Strader, West*

Proposal No. 333, 1985, was retitled SPECIAL RESOLUTION NO. 94, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 94, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 62, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 62, 1984 has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Louis Pack DBA Group Americal, Inc. or a partnership to be formed which includes Louis Pack as general Partner (the "Company"); and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution and it is desirable to place an expiration date on the previously adopted Special Resolution No. 62, 1984; now therefore

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 62, 1984 is hereby amended by deleting Section 3 and Section 4 thereof and inserting in lieu thereof the following: SECTION 3. In order to induce the Company to continue to proceed with the acquisition, construction, installation and equipping of the Project, this body hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; and (ii) it will adopt such resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.], and that the aforementioned purposes comply with the provisions of I.C. 36-7-12. SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during renovation, construction, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 62, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 316, 1985. This proposal is for a final bond ordinance authori-

zing the issuance of a \$3,000,000 Economic Development Revenue Bond for Cornelius Printing Company, Inc. Councillor Schneider reviewed the project as the purchase and installation of additional printing equipment that will be located at the Company's existing facility at 2457 East Washington Street. Bond financing contains the following documents: Loan Agreement and Bond Purchase Agreement (both including exhibits), Promissory Note, and Security Agreement. The interest rate is 10.75% per annum payable quarterly commencing June 30, 1985. The principal is payable in 39 consecutive quarterly installments of \$75,000 each commencing September 30, 1985, with the final payment due June 30, 1995. The Economic Development Committee on June 5, 1985, recommended Proposal No. 316, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Howard for adoption. Proposal No. 316, 1985, was adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

NO NAYS

1 NOT VOTING: *Strader*

Proposal No. 316, 1985, was retitled SPECIAL ORDINANCE NO. 19, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 19, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond (Cornelius Printing Company, Inc. Project) in the principal amount of Three Million Dollars (\$ 3,000,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Cornelius Printing Company, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on June 5, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Cornelius Printing Company, Inc. (the "Company") consisting of the acquisition, and installation of additional printing equipment that will be located at the Company's existing facility at 2457 East Washington Street, Indianapolis, Indiana which will be used as a part of the Company's

printing operation (the "Project") which will be initially owned and operated by Cornelius Printing Company, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement including the exhibits attached thereto, Bond Purchase Agreement including the exhibits attached thereto, Promissory Note, Security Agreement and the form of the City of Indianapolis Economic Development Revenue Bond (Cornelius Printing Company, Inc. Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement consisting of the acquisition and installation of additional printing equipment plus certain site improvements to be located at the Company's existing facility at 2457 East Washington Street, Indianapolis, Indiana which will be used as a part of the Company's printing operation previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Cornelius Printing Company, Inc. for the purposes of financing the economic development facilities being acquired, renovated, installed and equipped or to be acquired and installed in Indianapolis, Indiana, and the repayment of said loan by Cornelius Printing Company, Inc. will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Loan Agreement including the exhibits attached thereto, Bond Purchase Agreement including the exhibits attached thereto, Promissory Note, Security Agreement and the form of the City of Indianapolis Economic Development Revenue Bond (Cornelius Printing Company, Inc. Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Bond Purchase Agreement including the exhibits attached thereto, Loan Agreement including the exhibits attached thereto, Security Agreement, Promissory Note and the form of the City of Indianapolis Economic Development Revenue Bond (Cornelius Printing Company, Inc. Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bond (Cornelius Printing Company, Inc. Project) in the principal amount of Three Million Dollars (\$ 3,000,000) for the purpose of procuring funds to loan to Cornelius Printing Company, Inc. in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement including the exhibits attached thereto incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Cornelius Printing Company, Inc. on its Promissory Note in the principal amount of Three Million Dollars (\$3,000,000), which will be executed and delivered by Cornelius Printing Company, Inc. to evidence and secure said loan, and as otherwise provided in the Assignment of Interests, Security Agreement and the above described Loan Agreement. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bond to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate or rates of interest as set forth in the Bond Purchase Agreement and the form of the Bond provided however that the interest rate on the Bond shall in no event exceed 30% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Bond Purchase Agreement including the exhibits attached thereto, Loan Agreement including the exhibits attached thereto, the Assignment of Interests, Security Agreement, the City of Indianapolis Economic Development Revenue Bond (Cornelius Printing Company, Inc. Project), and the Endorsement to the Promissory Note approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Bond Purchase Agreement. The Mayor and City Clerk may by their execution of the Loan Agreement including the exhibits attached thereto, Assignment of Interests, Bond Purchase Agreement including the exhibits attached thereto, the Endorsement to Promissory Note and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in the Promissory Note and Security Agreement without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Bond Purchase Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bond (Cornelius Printing Company, Inc. Project) and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 317, 1985. This proposal is for a special ordinance amending previously adopted Special Ordinance No. 61, 1984, for H & K Realty Company and E & A Industries, Inc. and their various subsidiaries to modify the Financing Agreement. Councillor Schneider explained that the previous special ordinance authorized five series of bonds (A-E). The following describes Series A-C Bonds that have been issued to date:

<u>Series</u>	<u>Borrower</u>	<u>Amount</u>
A	H & K Realty	\$1,000,000

B	Worldwide Chemicals, Inc.	250,000
C	Apex Corporation	300,000

At the time the bond documents were approved, the Series D and E Bonds were authorized as follows:

D	Brulin & Company	\$1,150,000
E	Apex Corporation	300,000

Proposal No. 317 allows the Series D Bonds to be redesignated to H & K Realty Company and authorizes the principal amount to be reduced from \$1,150,000 to \$550,000 and that the proceeds thereof will be loaned to H & K Realty Company rather than Brulin and Company, Inc. The Economic Development Committee on June 5, 1985, recommended Proposal No. 317, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 317, 1985, was adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

NO NAYS

1 NOT VOTING: *Strader*

Proposal No. 317, 1985, was retitled SPECIAL ORDINANCE NO. 20, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 20, 1985

A SPECIAL ORDINANCE amending City-County Council Special Ordinance No. 61, 1985 and authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series D (H & K Realty Company E & A Industries, Inc. Project)" in the reduced principal amount of Five Hundred Fifty Thousand Dollars (\$550,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for H & K Realty Company and E & A Industries, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on October 3, 1984, and after meeting on June 5, 1985, adopted Resolutions on those dates, which Resolutions have been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by H & K Realty Company and H & K Realty Company or E & A Industries, Inc. (the "Company") consisting of the acquisition, construction, installation and equipping of a building containing approximately 30,000 square feet as an addition to the existing facilities and the machinery and equipment to be located therein plus certain site improvements to be located at 1910 South State Street, Indianapolis, Indiana on approximately 1.2 acres of land which will be used by World Wide Chemicals, Inc. for the manufacturing of automobile reconditioning products such as polishes, waxes and cleaners and by Apex Corporation for precision machinery of parts including aircraft engine parts; the acquisition and installation of new equipment to be used by Apex Corporation at 2620 Yandes, Indianapolis, Indiana for the precision machinery of parts including aircraft engine parts; the acquisition, construction, renovation, installation and equipping of facilities containing approximately 40,000 to 50,000 square feet located at 2920 Martindale, Indianapolis, Indiana which will be used by Brulin & Company, Inc. for the manufacturing of specialty chemicals and warehousing of its products and the acquisition, renovation, installation and equipping of two existing buildings located at 3010 Martindale Avenue, Indianapolis, Indiana, which will be used by E & A Industries, Inc. and its subsidiaries for office, warehouse and manufacturing of their respective businesses which will be initially owned by H & K Realty Company complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, although the City-County Council adopted City-County Special Ordinance No. 61, 1984 on October 22, 1984, the authorized Series D and Series E Bonds have not yet been issued; and

WHEREAS, the Company has requested that the documents relating to the Series D Bonds be amended to reflect that the authorized principal amount of the Series D Bonds be reduced from \$1,150,000 to \$550,000 and that the proceeds thereof will be loaned to H & K Realty Company rather than Brulin and Company, Inc., and will be used a) for certain cost overruns experienced by World Wide Chemicals, Inc. in the construction of its new plant addition, b) for modifications to the existing World Wide Chemicals, Inc. plant and c) for modifications to the existing Brulin and Company, Inc. facility all of which projects are more fully described herein-after and in the Series D Loan Agreement as amended; and

WHEREAS, the Indianapolis Economic Development Commission has previously on October 3, 1984 approved the final forms of the various Loan Agreements with H & K Realty Company and various subsidiaries of E & A Industries, Inc., Trust Indenture, Mortgage and Security Agreement, First Mortgage Notes and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series A through E (H & K Realty Company E & A Industries, Inc. Projects); and has approved the final forms of the Series D Loan Agreement, First Mortgage Note, Series D, Trust Indenture, Mortgage and Security Agreement, and City of Indianapolis, Indiana Economic Development Revenue Bonds, Series D (H & K Realty Company E & A Industries, Inc. Projects) all as amended by Resolutions adopted prior in time to this date; and such Resolutions have been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Series D Loan Agreement as amended with H & K Realty Company consisting of the acquisition, construction, installation and equipping of a building containing approximately 30,000 square feet as an addition to the existing facilities and the machinery and equipment to be located therein plus certain site improvements to be located at 1910 South State Street, Indianapolis, Indiana on approximately 1.2 acres of land, and the modification of the existing World Wide Chemicals, Inc. facility at that location, which will be used by World Wide Chemicals, Inc. for the manufacturing of automobile reconditioning products such as polishes, waxes and cleaners and by Apex Corporation for precision machinery of parts including aircraft engine parts; the acquisition and installation of new equipment to be used by Apex Corporation at 2620 Yandes, Indianapolis, Indiana for the precision machinery of parts including aircraft engine parts; the modification installation and equipping of facilities containing approximately 40,000 to 50,000 square feet located at 2920 Martindale, Indianapolis, Indiana which will be used by Brulin & Company, Inc. for the manufacturing of specialty chemicals and warehousing of its products (collectively the "Project") previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to H & K Realty Company for the purposes of financing the economic development facilities being acquired, constructed, renovated, installed and equipped or to be acquired, constructed, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by H & K Realty Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Series D Loan Agreement, Trust Indenture, Mortgage and Security Agreement, First Mortgage Note, Series D, and the form of the City of Indianapolis Economic Development Revenue Bonds, Series D (H & K Realty Company E & A Industries, Inc. Project) all as amended approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Series D Loan Agreement, Trust Indenture, Mortgage and Security Agreement, First Mortgage Note, Series D, and the form of the City of Indianapolis Economic Development Revenue Bonds, Series D (H & K Realty Company E & A Industries, Inc. Projects) all as amended are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series D (H & K Realty Company E & A Industries, Inc. Projects) as amended in the principal amount of \$550,000 which will be utilized for the purpose of procuring funds to loan to H & K Realty Company in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Series D Loan Agreement with H & K Realty Company incorporated herein by reference. The Series D Bonds will be initially dated as of the first day of the month in which they are issued. The Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by H & K Realty Company on its First Mortgage Note, Series D as amended in the principal amount of \$550,000 which will be executed and delivered by said companies to evidence and secure said loan, and as otherwise provided in the above described Series D Loan Agreement, Trust Indenture and Mortgage and Security Agreement all as amended. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Series D Bonds as amended to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a per annum rate of interest as stated in each Bond, whether fixed or variable, not to exceed twenty percent (20%).

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Series D Loan Agreement, Trust Indenture, Mortgage and Security Agreement, the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series D (H & K Realty Company E & A Industries, Inc. Projects), and the Endorsement to the First Mortgage Note, Series D all as amended approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture as amended. The Mayor and City Clerk may by their execution of the Series D Loan Agreement, Trust Indenture, Mortgage and Security Agreement, the Endorsement to the First Mortgage Note, Series D all as amended and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the First Mortgage Note, Series D without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture as amended shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds, Series D (H & K Realty Company E & A Industries, Inc. Projects) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 318, 1985. This is a proposal for a special ordinance authorizing proceedings for the refunding of the previously issued \$13,530,000 City of Indianapolis, Indiana, Construction Loan Revenue Bonds (Marott Apartments Project - FHA -Insured Advances) Series 1982. Councillor Schneider explained that Proposal No. 318 refunds previously issued Construction Loan Revenue Bonds and authorizes proceedings to initiate permanent financing for the Project. The change in financing was prompted by a more advantageous bond market. Councillor Schneider moved, seconded by Councillor Miller, the following motion:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 318, 1985, by adding a new Section 4 to read as follows, and renumbering the following sections respectively:

SECTION 4. The City-County Council further finds, determines, ratifies and confirms that, conditioned upon the consent of 100% of the bondholders, the maturity date contained in the previously issued City of Indianapolis, Indiana Construction Loan Revenue Bonds (Marott Apartments Project - FHA Insured Advances) Series 1982 be extended from July 1, 1985 to August 1, 1985 and the Mayor and City Clerk are authorized and directed to execute on behalf of the City of Indianapolis any documents which may be necessary to effect such extension.

Councillor Schneider

The amendment passed by unanimous voice vote. Councillor Schneider stated that the Economic Development Committee on June 5, 1985, recommended Proposal No. 318, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Howard for adoption. Proposal No. 318, 1985, as amended, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

NO NAYS

2 NOT VOTING: Gilmer, Strader

Proposal No. 318, 1985, as amended, was retitled SPECIAL ORDINANCE NO. 21, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 21, 1985

A SPECIAL ORDINANCE approving and authorizing certain actions and proceedings with respect to certain proposed economic development refunding bonds concerning the previously issued \$13,530,000 City of Indianapolis, Indiana Construction Loan Revenue Bonds (Marott Apartments Project-FHA-Insured Advances) Series 1982.

WHEREAS, the City of Indianapolis, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of I.C. Sections 36-7-12 through 36-7-12-38, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to make direct loans to users for the cost of acquisition and renovation of economic development facilities to promote the general welfare of the area in and near the City and to issue its economic development revenue bonds and refunding revenue bonds to pay all costs of acquisition or renovation of such economic development facilities, including engineering, legal fees, and all

other expenses relating thereto during construction, including the costs of issuing the bonds and refunding bonds, and to secure said bonds pursuant to a Financing Agreement dated as defined in the Act by and between the City and the Owner (as herein-after defined) (the "Financing Agreement") and the Indenture of Trust by and between the City and a trustee to be named therein (the "Indenture"); and

WHEREAS, said economic development facilities consist of the acquisition, renovation and equipping of an existing building (former Marott Hotel) in 309,663 square feet of gross floor area were renovated to provide 239 multi-family residential rental units plus certain commercial space and the machinery and equipment to be installed therein plus certain site improvements located at 2625 North Meridian Street, Indianapolis, Indiana, on approximately 2.87 acres of land (the "Project"); and

WHEREAS, Adam-Marott Associates (the "Owner"), is a limited partnership which is organized and existing under the laws of the State of Indiana, with its principal office located in Indianapolis, Indiana, and duly qualified to conduct business in the State of Indiana; and

WHEREAS, the Owner has agreed to acquire and renovate economic development facilities for residential use within the limits of the City in the State of Indiana and hereby promote the general economic welfare of the area in and near the City and provide diversification of housing in and near the area of the City, and make payments pursuant to the Financing Agreement evidencing its loan obligations in an amount sufficient to pay the principal of and interest on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the City-County Council of Indianapolis and of Marion County, Indiana (the "City-County Council") has heretofore, by Ordinance and pursuant to the Act, created the Indianapolis Economic Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that, because of existing insufficient sites developed for residential uses, the economic welfare of the City would be benefited by financing the acquisition of economic development facilities for residential use for and on behalf of the Owner; and

WHEREAS, the Commission has approved a report estimating the public services which would be made necessary or desirable, the expense thereof, the number of units developed for residential use on account of the acquisition of the economic development facilities and the cost of the economic development facilities and has submitted such report to the Presiding Officer of the Metropolitan Development Commission of Marion County, Indiana, and, if required by the Act, to the Superintendent of the school corporation where the facilities will be located; and

WHEREAS, after giving notice in accordance with the Act, the Commission held on July 7, 1982, a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the purposes and provisions of the Act, approving the financing and approving the form and terms of the \$13,530,000 City of Indianapolis, Indiana Construction Loan Revenue Bonds (Marott Apartments Project-FHA-Insured Advances) Series 1982 previously issued by the City for the purpose of funding a loan from the City to finance, by advances to be made by Puller Mortgage Associates, Inc. to the Owner under a Note (the "Note") and Mortgage (the "Mortgage"), the cost of acquisition of such facilities, the Financing Agreement, Indenture and other documents (the "Financing Documents"); and

WHEREAS, pursuant to the Act, this City-County Council had adopted on May 10, 1982 a resolution finding that the proposed financing of the acquisition of such economic development facilities for residential use by the Owner will be of benefit to the general welfare of the City, approving the proposed financing and authorizing the issuance by the City of Construction Loan Revenue Bonds (Marott Apartments Project-FHA Insured Advances) Series 1982 (the "Bonds") payable solely from the sources, having such terms and provisions and secured as provided by the Indenture and the Financing Agreement; and

WHEREAS, the Bonds were issued on January 13, 1983 in the aggregate principal amount of \$13,530,000; and

WHEREAS, the Owner has requested that the City take the necessary steps to issue revenue bonds to refund the outstanding Bonds; now therefore;

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Public Benefits: The City-County Council of Indianapolis and of Marion County, Indiana hereby finds and determines that the real estate, interests in real estate, other improvements thereon and other machinery and equipment, to be acquired and renovated with the proceeds of the Bonds herein authorized are "economic development facilities" as that phrase is used in the Act and that acquisition and renovation of the Project will increase the number of sites developed for residential use in and near the City, will improve and promote the economic stability, development and the general welfare of the area in and near the City, and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new economic development facilities in such area.

SECTION 2. Findings: The City-County Council hereby finds that this Ordinance is of public benefit to the general welfare of the City by tending to overcome the deficiencies previously found to exist, to wit: insufficient housing facilities, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act) which will be required by the Project and further that the proposed refunding will be of benefit to the welfare of the City and complies with the purposes and provision of the Act.

SECTION 3. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of refunding revenue bonds of the City in an amount not to exceed \$13,530,000 under the Act to be privately placed or a public offering with credit enhancement for refunding the previously issued \$13,530,000 City of Indianapolis, Indiana Construction Loan Revenue Bonds (Marott Apartments Project-FHA-Insured Advances) Series 1982 for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Company or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 4. The City-County Council further finds, determines, ratifies and confirms that, conditioned upon the consent of 100% of the bondholders, the maturity date contained in the previously issued City of Indianapolis, Indiana Construction Loan Revenue Bonds (Marott Apartments Project - FHA Insured Advances) Series 1982 be extended from July 1, 1985 to August 1, 1985 and the Mayor and City Clerk are authorized and directed to execute on behalf of the City of Indianapolis any documents which may be necessary to effect such extension.

SECTION 5. In order to induce the Company to continue with the acquisition, renovation, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid refunding financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development refunding revenue bonds subject to the caveat that this ordinance of inducement expires January 31, 1986 unless such refunding revenue bonds have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of this ordinance of inducement; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds and/or refunding revenue bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 6. All costs of the Project incurred after the passage of City-County Special Resolution No. 27, 1982, on May 10, 1982 including reimbursement or repayment to the Company of monies expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to re-finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to City-County Special Resolution No. 27, 1982 will be permitted to be included as part of the bond issue to re-finance the Project.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 254 and 319, 1985. PROPOSAL NO. 319, is for a special ordinance designating the parcel of land commonly known as 335-343 West Washington Street, Indianapolis, Indiana, as an economic development target area. PROPOSAL NO. 254, 1985. This is a proposal for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Convention Garage Associates, Inc. in an approximate amount of \$10,000,000. Councillor Schneider stated that the Council was viewing an amended version of Proposal No. 254. He added that Special Resolution No. 76, 1982, was for Charles W. Hudson, Milt Lamm and Sherman Heazlitt Partners d/b/a/ Hotel International. The original project was for the construction and

equipping of a 190 room hotel containing 190,125 square feet plus parking on 14 floors plus a basement, etc. to be located at 335 West Washington Street. The proposed project has now grown, and there is a need for additional parking. Proposal No. 254 is an inducement resolution for the construction of a seven tier, 1,260 space public parking garage containing approximately 52,000 square feet with ramps connecting to the proposed Convention Center Hotel to be located at 335-343 West Washington Street. Estimated costs for the \$10,000,000 project are as follows: \$1,350,000 land, \$7,200,000 building, \$200,000 equipment, and \$1,250,000 miscellaneous expenditures. The estimated number of additional employment positions at the end of one year total 10 jobs with \$115,000 in additional payroll to the community. The three-year job estimate is 14 positions with \$150,000 in additional payroll. The Economic Development Committee on June 5, 1985, recommended Proposal No. 319, 1985, Do Pass by a vote of 7-0 and Proposal No. 254, 1985, Do Pass As Amended by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 319, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*
NO NAYS

3 NOT VOTING: *Curry, Dowden, Strader*

Proposal No. 319, 1985, was retitled SPECIAL ORDINANCE NO. 22, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 22, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-12 (as amended by P.L. 40-1983) limits the use of industrial development bonds for financing economic development facilities for retail trade, banking, credit agencies or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on facilities of the same kind operating in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 (as added by P.L. 40-1983) authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 25% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-12-2, as amended, (as added by P.L. 40-1983) indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been declared and confirmed as a redevelopment area before March 31, 1983; under:

(A) I.C. 36-7-14-15, I.C. 36-7-14-16, and I.C. 36-7-14-17; or

(B) I.C. 36-7-15.1-8, I.C. 36-7-15.1-9, and I.C. 36-7-15.1-10;

(3) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(4) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer,"; and

WHEREAS, at its meeting on June 5, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as the 335-343 West Washington Street, Indianapolis, Indiana, as an Economic Development Target Area which parcels are more specifically described as:

PARCEL I

18 feet and 7½ inches off the West side of Lot 3 in Square 67 of the Donation Lands in the City of Indianapolis, Indiana.

PARCEL II

Lots 4, 5 and 6 in Square 67 of the Donation Lands of the City of Indianapolis, Indiana.

Plus that portion of the alley to be vacated which is located between Parcel I and Parcel II.

now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the parcels commonly known as 335-343 West Washington Street, Indianapolis, Indiana, which are more specifically described as:

PARCEL I

18 feet and 7½ inches off the West side of Lot 3 in Square 67 of the Donation Lands in the City of Indianapolis, Indiana.

PARCEL II

Lots 4, 5 and 6 in Square 67 of the Donation Lands of the City of Indianapolis, Indiana.

Plus that portion of the alley to be vacated which is located between Parcel I and Parcel II.

meet the requirement imposed by I.C. 36-7-12-2, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 254, 1985, as amended, was adopted on the following roll call vote; viz:

24 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Giffin, Gilmer, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

NO NAYS

5 NOT VOTING: Dowden, Durnil, Hawkins, Howard, Strader

Proposal No. 254, 1985, as amended, was retitled SPECIAL RESOLUTION NO. 95, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 95, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition,

construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Charles W. Hudson, Milt Lamm and Sherman Heazlitt Partners d/b/a Hotel International (the "Original Applicant") have previously advised the Indianapolis Economic Development Commission and the Issuer that it proposed that the Issuer either acquire, construct and equip certain economic development facilities and sell or lease the same to the Original Applicant or loan the proceeds of an economic development financing to the Original Applicant for the same, said economic development facilities to be the acquisition, construction and equipping of an approximately 190 room hotel containing 190,125 square feet on 14 floors plus a basement of 12,675 square feet with banquet facilities to accommodate 500 persons, a restaurant of 4,000 square feet, two lounges totalling 3,000 square feet, a coffee shop of 1,000 square feet plus possibly 3,000 square feet of retail shops and parking for 120 vehicles and the machinery and equipment to be installed therein plus certain site improvements to be located at 335 West Washington Street, Indianapolis, Indiana, on approximately 0.286 acres of land (the "Project") and the City-County Council adopted City-County Special Resolution No. 76, 1982 inducing the Original Project; and

WHEREAS, the Original Applicant has now found an entity known as Convention Garage Associates, Inc. and the description of the proposed economic development facilities has been modified as hereinafter set forth; and

WHEREAS, Convention Garage Associates, Inc. (the "Applicant") has now advised the Indianapolis Economic Development Commission and the City that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of an approximately seven tier, 1,260 space public parking garage containing approximately 52,000 square feet with ramps connecting to the proposed Convention Center Hotel and the machinery and equipment to be installed therein plus certain site improvements to be located at 335-343 West Washington Street, Indianapolis, Indiana on approximately 1.32 acres of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 10 at the end of one year and 14 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of Ten Million Dollars \$10,000,000 under the Act to be privately placed or a public offering with credit enhancement to provide financing for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to continue to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of City-County Special Resolution No. 76, 1982 including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 325, 1985. This is a proposal for an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 105, 1984, and increasing the amount of the inducement resolution from \$3,200,000 to \$4,250,000 for Robert E. Carr. Councillor Schneider stated that Proposal No. 325 extends the expiration date from June 30, 1985, to January 31, 1985, and it also allows an increase in the amount from \$3,200,000 to \$4,250,000. He added that the increase is being requested because it has been determined that the renovation necessary on the "Midwest Bank Building" will be more extensive than originally thought. The Economic Development Committee on June 5, 1985, recommended Proposal No. 325, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 325, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

NO NAYS

2 NOT VOTING: *Clark, Strader*

Proposal No. 325, 1985, was retitled SPECIAL RESOLUTION NO. 96, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 96, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 105, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 105, 1984 has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Robert E. Carr (the "Company") which Special Resolution set an expiration date of June 30, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the

Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, it has been determined that the Project will cost more than originally projected and it is now anticipated that it will cost approximately \$4,250,000; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 105, 1984 is hereby amended by deleting the expiration date of June 30, 1985 contained therein and replacing said date with the date of January 31, 1986 and by increasing the amount of said inducement resolution from "approximately \$3,200,000" to approximately \$4,250,000.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 105, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 334, 1985. This is a proposal for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Design Printing Company, Inc. in an approximate amount of \$1,750,000. Councillor Schneider described the project as the purchase of a 19 X 25 five-color Heidelberg printing press including the construction of a 19,000 square foot addition to the Company's existing building at 626 North Illinois Street. Estimated costs for the \$1,750,000 project are as follows: \$1,000,000 building, \$500,000 equipment, and \$250,000 miscellaneous expenditures. The estimated number of additional employment positions at the end of one year total 5 jobs with \$120,000 in additional payroll to the community. The three-year job estimate is 7 positions with \$182,000 in additional payroll. The Economic Development Committee on June 5, 1985, recommended Proposal No. 334, 1985, Do Pass by a vote of 6-0-1. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 334, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe,

Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

NO NAYS

2 NOT VOTING: Clark, Strader

Proposal No. 334, 1985, was retitled SPECIAL RESOLUTION NO. 97, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 97, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Design Printing Company, Inc. (the "Applicant") has advised the Indianapolis Economic Development Commission and the City that it proposes that the Issuer either acquire, renovate, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, renovation, construction, installation and equipping of a 19 X 25 five-color Heidelberg printing press including the approximately 19,000 square feet addition to the Applicant's existing building in which the machine will be housed and the other machinery and equipment to be installed therein plus certain site improvements to be located at 626 North Illinois Street on approximately 0.42 acres of land in Indianapolis, Marion County, Indiana which will be used for printing commercial material such as brochures, catalogs, newsletters, annual reports, posters and publications (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 5 at the end of one year and 7 at the end of three years) to be achieved by the acquisition, renovation, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, renovation, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$1,750,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, renovation, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during renovation, construction, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the

same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

[Clerk's Note: Proposal No. 335, 1985, was withdrawn.]

PROPOSAL NOS. 336 and 337, 1985. Proposal No. 336 is a proposal for a special ordinance designating the parcel of land commonly known as the northeast corner of the intersection of Holt Road and Minnesota Street, Indianapolis, Indiana, as an economic development target area. PROPOSAL NO. 337, 1985, is a proposal for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Robert L. Faris, Sr. and/or Waneta Sue Faris or a corporation or partnership in which either of them owns a controlling interest in an approximate amount of \$3,600,000. Faris Mailing, Inc. is a full service mailing facility featuring the latest technology in printing, labeling, addressing and inserting equipment and ancillary services including mailing list selection and data processing. The Company is currently located at three different locations in Indianapolis: 535 South Illinois Street, 528 South Meridian Street, and 546 South Meridian Street. Councillor Schneider explained that the project is to relocate the existing facility to the northeast corner of the intersection of Holt Road and Minnesota Street. The project includes the construction, equipping, etc. of a building to contain 150,000 square feet on approximately 14.2 acres. The property is bounded near the Bridgeport Brass and National Guard facilities. The economic development target area designation is necessary due to the SIC Code classification of this Project. Estimated costs for the \$3,600,000 project are as follows: \$325,000 land, \$2,675,000 building, \$500,000 equipment, and \$100,000 miscellaneous expenditures. The estimated number of additional employment positions at the end of one year total 14 jobs with \$155,900 in additional payroll to the community. The three-year job estimate is 38 positions with \$500,000 in additional payroll. The Economic Development Committee on June 5, 1985, recommended Proposal Nos. 336 and 337, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 336, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

NO NAYS

2 NOT VOTING: Clark, Strader

Proposal No. 336, 1985, was retitled SPECIAL ORDINANCE NO. 23, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 23, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-12 (as amended by P.L. 40-1983) limits the use of industrial development bonds for financing economic development facilities for retail trade, banking, credit agencies or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on facilities of the same kind operating in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 (as added by P.L. 40-1983) authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 25% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-12-2, as amended, (as added by P.L. 40-1983) indicates that an Economic Development Target Area means a geographic area that:

“(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been declared and confirmed as a redevelopment area before March 31, 1983; under:

- (A) I.C. 36-7-14-15, I.C. 36-7-14-16, and I.C. 36-7-14-17; or
- (B) I.C. 36-7-15.1-8, I.C. 36-7-15.1-9, and I.C. 36-7-15.1-10;

(3) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation

commission organized under I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(4) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on June 5, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as the northeast corner of the intersection of Holt Road and Minnesota Street, Indianapolis, Indiana, as an Economic Development Target Area which parcels are more specifically described as:

Part of the Southwest Quarter of the Northeast Quarter of Section 17, Township 15 North, Range 3 East in Marion County, State of Indiana, more particularly described as follows:

Beginning at the Southwest corner of said Quarter Quarter Section; running thence North 90 degrees 00 minutes 00 seconds East on and along the South line thereof a distance of 1254.805 feet to a point of the West right-of-way line of the Indianapolis and Vincennes Railroad; running thence North 02 degrees 24 minutes 19 seconds East on and along said West right-of-way line a distance of 495.79 feet to the Southerly line of certain real estate heretofore owned by Daum Over-Nite Express, Inc. per Corporate Warranty Deed recorded as Instrument No. 78-50255 in the Office of the Recorder of Marion County, Indiana; thence South 90 degrees 00 minutes 00 seconds West along the Southerly line of said real estate, being parallel with the South line of said Quarter Quarter Section a distance of 1255.85 feet Deed (1255.06 feet computed) to the West line of said Quarter Quarter Section; thence South 02 degrees 22 minutes 34 seconds West along said West line 495.75 feet Deed (495.74 feet computed) to the point of beginning.

now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the parcels commonly known as the northeast corner of the intersection of Holt Road and Minnesota Street, Indianapolis, Indiana, which are more specifically described as:

Part of the Southwest Quarter of the Northeast Quarter of Section 17, Township 15 North, Range 3 East in Marion County, State of Indiana, more particularly described as follows:

Beginning at the Southwest corner of said Quarter Quarter Section; running thence North 90 degrees 00 minutes 00 seconds East on and along the South line thereof a distance of 1254.805 feet to a point of the West right-of-way line of the Indianapolis and Vincennes Railroad; running thence North 02 degrees 24 minutes 19 seconds East on and along said West right-of-way line a distance of

495.79 feet to the Southerly line of certain real estate heretofore owned by Daum Over-Nite Express, Inc. per Corporate Warranty Deed recorded as Instrument No. 78-50255 in the Office of the Recorder of Marion County, Indiana; thence South 90 degrees 00 minutes 00 seconds West along the Southerly line of said real estate, being parallel with the South line of said Quarter Quarter Section a distance of 1255.85 feet Deed (1255.06 feet computed) to the West line of said Quarter Quarter Section; thence South 02 degrees 22 minutes 34 seconds West along said West line 495.75 feet Deed (495.74 feet computed) to the point of beginning.

meet the requirement imposed by I.C. 36-7-12-2, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 337, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

NO NAYS

2 NOT VOTING: Clark, Strader

Proposal No. 337, 1985, was retitled SPECIAL RESOLUTION NO. 98, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 98, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Robert L. Faris, Sr. and/or Waneta Sue Faris or a corporation or partnership in which either of them owns a controlling interest (the "Applicant") has advised the Indianapolis Economic Development Commission and the City that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a building containing approximately 150,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at the northeast corner of the intersection of Holt Road and Minnesota Street on approximately 14.268 acres of land in Indianapolis, Marion County, Indiana which will be used by Faris Mailing, Inc. as a full service mailing facility featuring the latest technology in printing, labeling, addressing and inserting equipment and ancillary services including mailing list selection and data processing (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 14 at the end of one year and 38 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$3,600,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such

instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires January 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during renovation, construction, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 369-372, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on June 6, 1985". No action was taken on Proposal Nos. 369-372, 1985 by the Council; and the proposals were deemed adopted. Proposal Nos. 369-372, 1985, were retitled REZONING ORDINANCE NOS. 76-79, 1985, and read as follows:

REZONING ORDINANCE NO. 76, 1985 85-Z-23 (85-DP-2) WASHINGTON
TOWNSHIP
COUNCILMANIC DISTRICT NO. 6
2215 EAST 86TH STREET, INDIANAPOLIS

Forum Group, Inc., by Bruce R. Karr, requests the rezoning of 11.50 acres, being in the C-2 district, to the D-P classification, to provide for the construction of a retirement living center comprised of a three-story congregate living facility containing 122 apartments and a one-story nursing home containing 74 beds.

**REZONING ORDINANCE NO. 77, 1985 85-Z-34 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3
7102 EAST 71ST STREET, INDIANAPOLIS**

Phillip E. and Dorothea Jean Bly and Terry E. and Jo Ann Dean request the rezoning of 1.05 acres, being in the A-2 district, to the C-1 classification, to provide for office buffer uses.

**REZONING ORDINANCE NO. 78, 1985 85-Z-57 AMENDED PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 24
6320 SOUTH GRAY ROAD, INDIANAPOLIS**

Bible Doctrine Church of Indianapolis, by Dixon B. Dann, requests the rezoning of 3.00 acres, being in the A-2 district, to the SU-1 classification, to provide for a church and related uses.

**REZONING ORDINANCE NO. 79, 1985 85-Z-62 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
2001 NORTH HIGH SCHOOL ROAD, INDIANAPOLIS**

Joseph F. Sexton Company, by Zeff A. Weiss, requests the rezoning of approximately 21 acres, being in the F, D-9 and C-4 districts to the D-6II classification, to provide for the construction of apartments.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 291, 1985. This proposal appropriates \$37,000 for the Office of the Director of the Department of Administration to purchase television equipment and lights for the Public Assembly Room. Councillor Coughenour explained that \$30,000 of the appropriation is for television equipment (received from fees charged to both cable companies) and \$7,000 is to fund the Department's share of the City's membership to Public Technology Institute. The \$30,000 will purchase 2 new three-tube television cameras and accessories that could be used with normal lighting. One advantage of the new cameras is that they would be "cabled" so that Channel 16 could broadcast live any meeting in the City-County Building. The single tube cameras used presently are at their maximum cable length in the Public Assembly Room. The Administration Committee on June 3, 1985, recommended Proposal No. 291, 1985, Do Pass by a vote of 4-0. The President called for public testimony at 8:01 p.m. There being no one present to testify Councillor Coughenour moved, seconded by Councillor Holmes for adoption. Proposal No. 291, 1985, was adopted on the following roll call vote; viz:

19 AYES: Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Rhodes, SerVaas, Shaw, West

8 NAYS: Boyd, Durnil, Giffin, Nickell, Page, Rader, Schneider, Stewart

2 NOT VOTING: Dowden, Strader

Proposal No. 291, 1985, was retitled FISCAL ORDINANCE NO. 51, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 51, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Thirty-seven Thousand Dollars (\$37,000) in the City General Fund for purposes of the Department of Administration, Office of the Director and reducing the unappropriated and unencumbered balance in the City General Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the purchase of television equipment and lighting of the Public Assembly Room and the Department's share of the PTI membership cost.

SECTION 2. The sum of Thirty-seven Thousand Dollars (\$37,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

**DEPARTMENT OF ADMINISTRATION
OFFICE OF THE DIRECTOR**

- 3. Other Services & Charges
- 4. Capital Outlay
- TOTAL INCREASE**

CITY GENERAL FUND
\$10,000
27,000
\$37,000

SECTION 4. The said additional appropriations are funded by the following reductions:

**DEPARTMENT OF ADMINISTRATION
OFFICE OF THE DIRECTOR**

- Unappropriated and Unencumbered
- City General Fund
- TOTAL REDUCTION**

CITY GENERAL FUND
\$37,000
\$37,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 229, 1985. This proposal appoints Dewey F. Hoss to the Equal Opportunity Advisory Board. Councillor Coughenour reported that the Administration Committee on June 3, 1985, recommended Proposal No. 229, 1985, Do Pass As Amended by a vote of 4-0. The amendment was to correct the length of Mr. Hoss's term. She stated that Mr. Hoss is retired from Eli Lilly and Company and has served on the Board of Parks and Recreation and the Greater Indianapolis Progress Committee. Councillor Coughenour moved, seconded by Councillor Cottingham for adoption. Proposal No. 229, 1985, as amended, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

NO NAYS

2 NOT VOTING: *Gilmer, Strader*

Proposal No. 229, 1985, as amended, was retitled COUNCIL RESOLUTION NO. 14, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 14, 1985

A COUNCIL RESOLUTION appointing Dewey F. Hoss to the Equal Opportunity Advisory Board.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. As a member of the Equal Opportunity Advisory Board the Council appoints:

DEWEY F. HOSS

SECTION 2. The foregoing appointment shall be effective upon passage of this resolution, ending April 11, 1986, at the pleasure of the Council and until his respective successor is appointed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 292, 1985. This proposal amends the Code concerning licensing requirements for the City. Councillor Coughenour explained that Proposal No.

292, 1985, amends the Code to remove the following clause from Sec. 17-29 for general qualifications of licensees: that the applicant must be a citizen of the United States or a declarant for citizenship, as prescribed by law. This will avoid violation of the 14th Amendment to the Constitution of the United States. The Administration Committee on June 3, 1985, recommended Proposal No. 292, 1985, Do Pass by a vote of 3-0-1. Councillor Coughenour moved, seconded by Councillor Gilmer for adoption. Proposal No. 292, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Schneider, SerVaas, Shaw, Stewart, West
 2 NAYS: Hawkins, Rhodes
 1 NOT VOTING: Strader

Proposal No. 292, 1985, was retitled GENERAL ORDINANCE NO. 35, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 35, 1985

A GENERAL ORDINANCE concerning the licensing requirements for the City of Indianapolis.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 17-29 of the "of Indianapolis and Marion County, Indiana", is amended by deleting the language crosshatched and inserting the language underscored to read as follows:

Sec. 17-29. General qualifications of licensees.

In order to obtain any license required by this Code or other city ordinance, the applicant shall meet the following requirements:

(1) ~~THE APPLICANT MUST NOT HAVE HAD ANY LICENSE TO OPERATE A BUSINESS REVOKED OR SUSPENDED BECAUSE OF HIS CONDUCT OF THE BUSINESS OR BECAUSE OF HIS VIOLATION OF ANY LAW OR REGULATION WHILE CONDUCTING THAT BUSINESS;~~

(1) (2) The applicant must not have had any license to operate a business revoked or suspended because of his conduct of the business or because of his violation of any law or regulation while conducting that business;

(2) (3) The applicant must agree to comply with all laws, provisions of this Code and other ordinances, all regulations promulgated thereunder and the orders and decisions of all public officials which pertain to his business or premises; he shall also agree that his business and premises will not be used for any unlawful ~~or immoral~~ purposes;

- (3) ~~(4)~~ Each corporation must be organized and controlled by the laws of the state or be authorized and qualified by its laws to engage in business in the state.

SECTION 2. Sec. 17-403 of the "Code of Indianapolis and Marion County, Indiana", is amended by deleting the language crosshatched and inserting the language underscored to read as follows:

Sec. 17-403. Grounds for denial.

A license applied for under this article may be denied to an applicant if applicant:

- (1) where applicable, is not a corporation organized by law or authorized and qualified to do business in the state;
- (2) knowingly permits any sort of illegal conduct or practices to take place on his premises or in the conduct of his business;
- (3) fails to certify by affidavit that the business premises will not be used for illegal purposes;

~~(4) If the applicant is a corporation organized by law or authorized and qualified to do business in the state, the applicant shall not be denied a license on the basis of the failure of the applicant to certify by affidavit that the business premises will not be used for illegal purposes.~~

SECTION 3. Sec. 17-847 of the "Code of Indianapolis and Marion County, Indiana", is amended by deleting the language crosshatched and inserting the language underscored to read as follows:

Sec. 17-847. Grounds for denial.

A license applied for under this article may be denied to an applicant if applicant:

- (1) where applicable, is not a corporation organized by law or authorized and qualified to do business in the state;
- (2) knowingly permits any sort of illegal conduct or practices to take place on his premises or in the conduct of his business;
- (3) fails to certify by affidavit that the business premises will not be used for illegal purposes;

~~(4) If the applicant is a corporation organized by law or authorized and qualified to do business in the state, the applicant shall not be denied a license on the basis of the failure of the applicant to certify by affidavit that the business premises will not be used for illegal purposes.~~

SECTION 4. (a) The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted. (b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 5. Should any provision (section, paragraph, sentence, clause or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if such remaining

provisions can be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 293, 1985. This proposal transfers \$13,600 for the Prosecutor's Child Support IV-D Agency for the Summer Telemarketing Campaign. Councillor Dowden explained that Proposal No. 293 adjusts a classifying problem with regard to expenditures for the Telemarketing Campaign by transferring \$13,600 from Character 03, Other Services and Charges, to Character 2, Supplies. Funds in the original 1985 Budget were placed under Character 3 (contractual), and since the Child Support Division is trying to increase the caseload for the federal Incentive Program, there is a greater need for additional postage and related items than was originally anticipated. The Public Safety and Criminal Justice Committee on May 22, 1985, recommended Proposal No. 293, 1985, Do Pass by a vote of 7-0. Councillor Dowden moved, seconded by Councillor Rhodes for adoption. Proposal No. 293, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, West

2 NAYS: Curry, Schneider

2 NOT VOTING: Durnil, Strader

Proposal No. 293, 1985, was retitled **FISCAL ORDINANCE NO. 52, 1985**, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 52, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Thirteen Thousand Six Hundred Dollars (\$13,600) in the County General Fund for purposes of the Prosecutor's Child Support IV-D Agency and reducing certain other appropriations for that division.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02(b)(23) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated

for the purposes of providing a transfer of funds for the Summer Telemarketing Campaign.

SECTION 2. The sum of Thirteen Thousand Six Hundred Dollars (\$13,600) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:	
PROSECUTOR'S CHILD SUPPORT	COUNTY GENERAL FUND
IV-D AGENCY	
2. Supplies	<u>\$13,600</u>
TOTAL INCREASE	<u>\$13,600</u>

SECTION 4. The said increased appropriation is funded by the following reductions:	
PROSECUTOR'S CHILD SUPPORT	COUNTY GENERAL FUND
IV-D AGENCY	
3. Other Services & Charges	<u>\$13,600</u>
TOTAL REDUCTION	<u>\$13,600</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 296, 1985. This proposal establishes the rules and procedures for the preparation of the 1986 Annual Budget for City and County Government. Councillor McGrath stated that in 1980, the Council adopted an ordinance establishing rules and procedures for preparation of the budget. Proposal No. 296, 1985, merely requests that a budget be prepared and submitted in 1985 for the budget year 1986. The Rules and Policy Committee on May 28, 1985, recommended Proposal No. 296, 1985, Do Pass by a vote of 7-0. Councillor McGrath moved, seconded by Councillor Miller for adoption. Proposal No. 296, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

NO NAYS

4 NOT VOTING: Bradley, Dowden, Giffin, Strader

Proposal No. 296, 1985, was retitled GENERAL ORDINANCE NO. 36, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 36, 1985

A GENERAL ORDINANCE establishing the rules and procedures for the preparation of the 1986 Annual Budget for City and County Government. (Amends Code Sec. 2-403)

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 2, Section 2-403, be and the same is hereby amended by deleting the cross-hatched portions and adding the portions underlined, to wit:

Sec. 204.

This division shall only apply to the Budget prepared and submitted in ~~1984~~ 1985 for the budget year ~~1985~~ 1986.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 297, 1985. This proposal amends the Code concerning vehicle taxes in Marion County. Councillor McGrath explained that revenues from the surtax and wheel tax are badly needed for residential streets because federal funds are decreased every year and expenses continue to rise. When the tax was originally adopted it provided a measure of review for the excise surtax and wheel tax. Proposal No. 297, as submitted, deleted this provision and the Rules and Policy Committee amended the proposal, to insert this provision back into Proposal No. 297. The Rules and Policy Committee on May 28, 1985, recommended Proposal No. 297, 1985, Do Pass As Amended, by a vote of 7-0. Councillor McGrath moved, seconded by Councillor Miller for adoption.

Mr. George Kline of the Indiana Motor Truck Association, urged the Council not to reapprove the surtax and wheel tax because of rising taxes in the trucking industry and also, these funds are used on residential streets and very seldom do tractor trailers travel residential streets.

Mr. David Sweetman expressed his feelings that the gas tax should be sufficient for the repair of Marion County streets. He explained that he owns a recreational vehicle that he uses approximately three times a year and is being taxed a great deal for the use of a vehicle only three times in a year. He requested that the Council defeat Proposal No. 297.

Proposal No. 297, 1985, as amended, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

NO NAYS

1 NOT VOTING: Strader

Proposal No. 297, 1985, as amended, was retitled GENERAL ORDINANCE NO. 37, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 37, 1985

A GENERAL ORDINANCE concerning vehicle taxes in Marion County.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Division 3 of Article XI of Chapter 2 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by deleting the language cross-hatched to read as follows:

DIVISION 3. VEHICLE TAXES

Sec. 2-471. Excise surtax.

All passenger cars, trucks of less than eleven thousand (11,000) pounds gross vehicle weight and motorcycles registered in Marion County, that are now subject to an excise tax (in lieu of a property tax) shall also be subject to an annual excise surtax of ten (10) per cent to be paid with the registration of said motor vehicles.

Sec. 2-472. Wheel tax.

(a) All of the following six (6) classes of motor vehicles, registered in Marion County, shall be subject to an annual wheel tax as set out in the following schedule, to be paid with the registration of said motor vehicles.

Motor Vehicle Classification	Annual Wheel Tax
(1) Buses	\$40.00
(2) Recreational vehicles	20.00
(3) Semitrailers 10.00	
(4) Tractors	30.00
(5) Trailers	10.00
(6) Trucks	40.00

(b) As provided by IC 6-3.5-5-4, the following motor vehicles are exempt from the annual wheel tax:

- (1) Vehicles owned by the state, a state agency or a political subdivision;
- (2) Buses owned and operated by a religious or nonprofit youth organization and used to haul persons to religious services or for the benefit of their members;
- (3) Vehicles subject to the annual excise surtax.

Sec. 2-473. Distribution of tax revenue.

All of the excise surtax and wheel tax collected on motor vehicles registered in Marion County shall be distributed as provided in IC 6-3.5-5-14 and IC 6-3.5-4-12, and shall be used only to construct, reconstruct, or repair streets and roads under its jurisdiction.

Sec. 2-474. Sunset provision.

The taxes imposed by sections 2-471 and 2-472 shall not be imposed after January 1, 1989, unless readopted by this council. This section is expressly declared severable; and should any court declare this section invalid, the balance of this division shall be effective not withstanding the invalidity of this section.

SECTION 2. The express or implied repeal or amendment by this ordinance or of any other ordinance, or part thereof, does not affect any rights or liabilities accrued, prior to the effective dates of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected unless such remaining provisions cannot, without being given the effect intended by the Council in adopting this ordinance.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 298-301, 1985. PROPOSAL NO. 298, 1985, establishes a loading zone on a portion of St. Joseph Street. Councillor Gilmer reported that it is a 35-foot loading zone requested by Everett I. Brown Company for customer pick-ups and deliveries. PROPOSAL NO. 299, 1985, establishes intersection controls in Country Walk Subdivision. This subdivision is located near South Sherman Drive and County Line Road. The controls will be two-way stop signs. PROPOSAL NO. 300, 1985, changes intersection controls at California and St. Clair Streets. Currently, California Street is preferential. The south approach of California Street was vacated for the construction of the Goodwin Plaza Apartment complex. Proposal No. 300, changes St. Clair to a preferential street.

PROPOSAL NO. 301, 1985, changes intersection controls on Lafayette Road and the entrance to Ayr Way. An engineering study revealed that the warrants for a traffic signal are not satisfied. The Target store was closed to the public on September 10, 1984. The Transportation Committee on May 29, 1985, recommended Proposal Nos. 298-301, 1985, Do Pass by a vote of 7-0. Councillor Gilmer moved, seconded by Councillor Holmes for adoption. Proposal Nos. 298-301, 1985, were adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

NO NAYS

1 NOT VOTING: *Strader*

Proposal Nos. 298-301, 1985, were retitled GENERAL ORDINANCE NOS. 38-41, 1985, respectively and read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 38, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-331, Passenger and materials loading zones, be and the same is hereby amended by the addition of the following, to wit:

St. Joseph Street, on the south side, from a point 62 feet west of Scioto Street to a point 97 feet west of Scioto Street.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 39, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
47, Pg. 1	Cottoneaster Way & Country Walk Dr.	Co Wy/Cntry Wlk (NB)	STOP
47, Pg. 1	Country Walk Dr. & Oak Tree Dr. N.	Country Walk Dr.	STOP

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 40, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24, Pg. 4	N. California St. & W. St. Clair St.	N. California St.	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24, Pg. 4	California St. & St. Clair St.	St. Clair St.	STOP

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 41, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24, Pg. 10	Lafayette Rd. & Ayr Way Ent.		SIGNAL

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL SERVICE DISTRICT COUNCILS


There being no business before any of the Special Service District Councils, none of the Special Service District Councils convened.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business and upon motion duly made and seconded, the meeting adjourned at 8:44 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and the Indianapolis, Police, Fire and Solid Waste Collection Special Service District Councils on the 10th day of June, 1985.

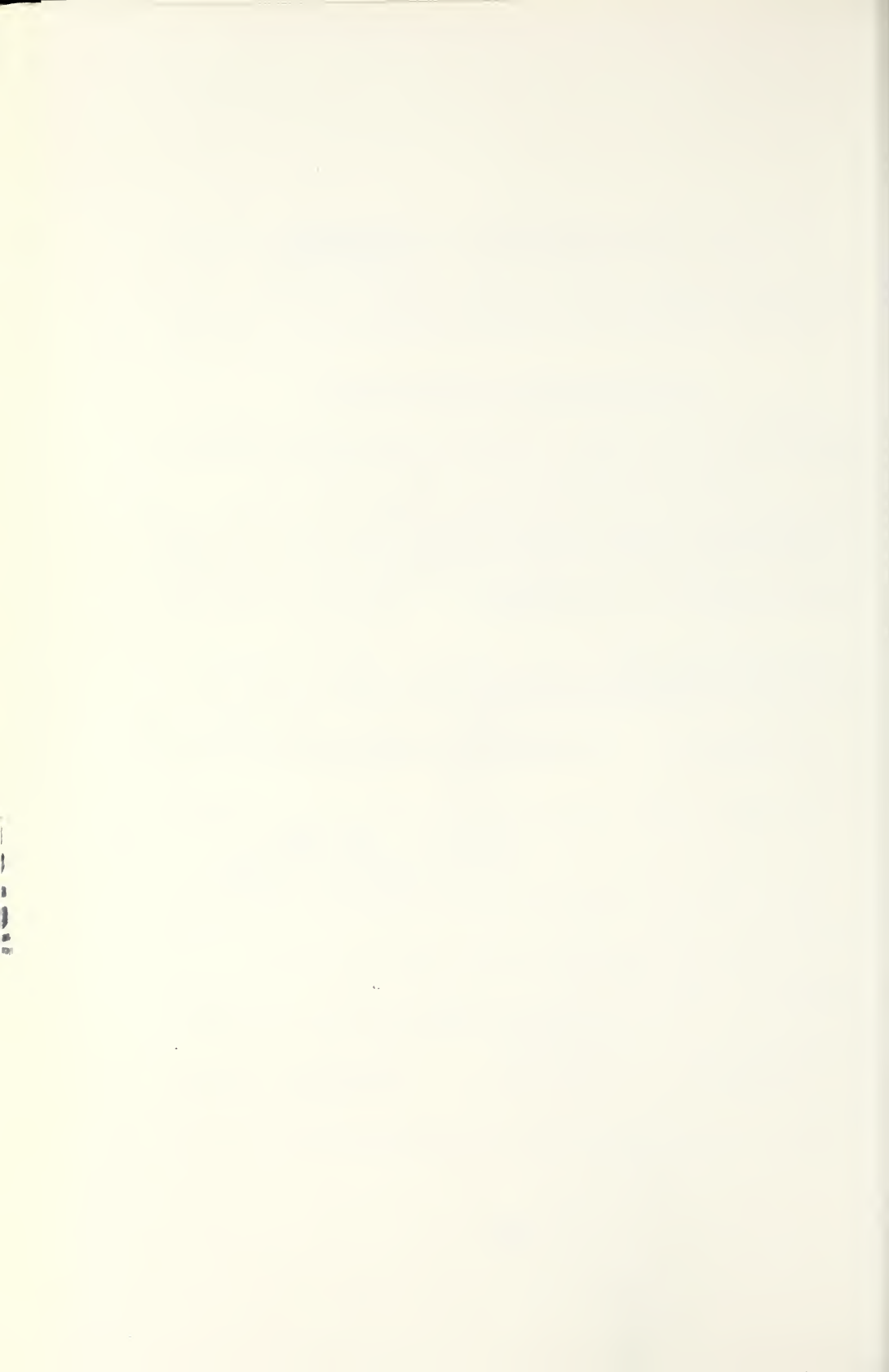
In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.


President


Clerk of the City-County Council

ATTEST:

(SEAL)



**MINUTES OF THE CITY-COUNTY COUNCIL
AND SPECIAL SERVICE DISTRICT COUNCILS
OF INDIANAPOLIS, MARION COUNTY, INDIANA**

REGULAR MEETINGS - MONDAY, JUNE 24, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:08 p.m., on Monday, June 24, 1985, with Councillor SerVaas presiding.

The meeting was opened with a prayer and the Pledge of Allegiance to the Flag by Councillor Richard F. Clark.

ROLL CALL

Councillor SerVaas instructed the Clerk to take the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

ABSENT: Page

Twenty-eight members being present, he announced a quorum was present.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

**TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE,
FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT
COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,
INDIANA:**

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, June 24, 1985, at 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

s/Beurt SerVaas, President
City-County Council

June 11, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on June 13, 1985, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 339, 340, 341, 346, 349, 350, 352, 353, 354, 355, 356, 359, 1985, to be held on Monday, June 24, 1985, at 7:00 p.m., in the City-County Building. In addition, Proposal No. 350 required a publisher's correction on June 15, 1985, in the Indianapolis NEWS.

Respectfully,

s/Beverly S. Rippy
City Clerk

June 20, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO: 51, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Thirty-seven Thousand Dollars (\$37,000) in the City General Fund for purposes of the Department of Administration, Office of the Director and reducing the unappropriated and unencumbered balance in the City General Fund.

GENERAL ORDINANCE NO. 35, 1985, concerning the licensing requirements for the City of Indianapolis.

GENERAL ORDINANCE NO. 36, 1985, establishing the rules and procedures for the preparation of the 1986 Annual Budget for City and County Government. (Amends Code Sec. 2-403).

GENERAL ORDINANCE NO. 37, 1985, concerning vehicle taxes in Marion County.

GENERAL ORDINANCE NO. 38, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

GENERAL ORDINANCE NO. 39, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 40, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 41, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

SPECIAL ORDINANCE NO. 19, 1985, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond (Cornelius Printing Company, Inc. Project) in the principal amount of Three Million Dollars (\$3,000,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 20, 1985, amending City-County Special Ordinance No. 61, 1985, and authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series D (H & K Realty Company E & A Industries, Inc. Project)" in the reduced principal amount of Five Hundred Fifty Thousand Dollars (\$550,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 21, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development refunding bonds concerning the previously issued \$13,530,000 City of Indianapolis, Indiana Construction Loan Revenue Bonds (Marott Apartments Project - FHA - Insured Advances) Series 1982.

SPECIAL ORDINANCE NO. 22, 1985, designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

SPECIAL ORDINANCE NO. 23, 1985, designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

SPECIAL RESOLUTION NO. 82, 1985, honoring Perry Meridian's 1985 Brain Game Championship Team.

SPECIAL RESOLUTION NO. 83, 1985, honoring Perry Meridian's Grace Yen.

SPECIAL RESOLUTION NO. 84, 1985, recognizing Dr. and Mrs. Greg Dixon's Thirtieth Anniversary with the Indianapolis Baptist Temple.

SPECIAL RESOLUTION NO. 85, 1985, honoring John Patterson.

SPECIAL RESOLUTION NO. 86, 1985, amending City-County Special Resolution No. 72, 1984, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 87, 1985, amending City-County Special Resolution No. 75, 1984, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 88, 1985, amending City-County Special Resolution No. 77, 1984, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 89, 1985, amending City-County Special Resolution No. 107, 1984, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 90, 1985, amending City-County Special Resolution No. 101, 1984, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 91, 1985, amending City-County Special Resolution No. 15, 1983, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 92, 1985, amending City-County Special Resolution No. 61, 1984, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 93, 1985, amending City-County Special Resolution No. 104, 1984, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 94, 1985, amending City-County Special Resolution No. 62, 1984, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 95, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 96, 1985, amending City-County Special Resolution No. 105, 1984, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 97, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 98, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

Respectfully submitted,

s/William H. Hudnut, III

ADOPTION OF AGENDA

Consent was given for the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of June 24, 1985.

**PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS,
AND COUNCIL RESOLUTIONS --**

PROPOSAL NO. 384, 1985. This proposal honors the Warren Central High School Girls Softball Team. Councillor Clark explained that this proposal will be presented at the Council meeting on July 22, 1985, and he requested that action be postponed until then. Consent was given.

PROPOSAL NO. 386, 1985. This proposal honors Caryn Sue Cockerill. Councilor Gilmer introduced Miss Cockerill as the number one academic student in the County and presented her parents Dr. and Mrs. Cockerill. Councillor Gilmer read the resolution and moved its adoption, seconded by Councillor Crowe. Proposal No. 386, 1985, was adopted by unanimous voice vote, retitled **SPECIAL RESOLUTION NO. 100, 1985**, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 100, 1985

A SPECIAL RESOLUTION honoring Caryn Sue Cockerill.

WHEREAS, Caryn Sue Cockerill has been named the 1985 County Pupil of the Year by The Indianapolis Star; and

WHEREAS, Ms. Cockerill graduated first in her class of 273 at Pike High School with a grade point average of 8.39 on an 8.0 scale; and

WHEREAS, in addition to her academic achievements Caryn Sue Cockerill was a finalist in the Presidential Scholar and National Merit competitions, president of the National Honor Society, co-captain of the varsity volleyball team four years, a varsity tennis competitor for three years, a delegate to Hoosier Girl's State and has been named the Most Outstanding Scholastic Athlete by the Marion County Coaches of Girls Sports Association; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis-Marion County City-County Council both honors and commends Caryn Sue Cockerill for her outstanding academic and athletic achievements, and the Council wishes her the best of all fortune in her future endeavors.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 387, 1985. This proposal honors the Thirty-fifth Anniversary of the Indianapolis Baptist Temple. Councillor McGrath stated that he would be presenting this resolution to the congregation of the Indianapolis Baptist Temple at a special service to be held on Sunday, June 30. He read the resolution and moved its adoption, seconded by Councillor Crowe. Proposal No. 387, 1985, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 101, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 101, 1985

A SPECIAL RESOLUTION honoring the Thirty-fifth Anniversary of the Indianapolis Baptist Temple.

WHEREAS, the Reverend George Young began services in a dance pavilion in Longacre Park on January 7, 1950; and

WHEREAS, from these beginnings the Indianapolis Baptist Temple was organized on March 23, 1950, eventually moving to its present address in 1953; and

WHEREAS, from the twelve persons who attended the first service the Indianapolis Baptist Temple has grown to be the largest church of any denomination in Indianapolis with ministries, missionaries, and mission enterprises world-wide; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council of Indianapolis and Marion County, Indiana, hereby honors the Indianapolis Baptist Temple on its Thirty-fifth Anniversary.

SECTION 2. The City-County Council of Indianapolis and Marion County, Indiana, extends its regards to all members of the congregation in the hopes that they will continue to enjoy the blessings which have been bestowed upon their work.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 385, 1985. This proposal honors three Allison Gas Turbine

Pilots. Councillor Curry introduced Mr. and Mrs. Jack Schweibold and Mr. and Mrs. Harry B. Sutton. He explained that these are two of the three pilots that set fifteen world class records officially recognized by the Federation Aeronautique Internationale for heavyweight helicopter flights. Councillor Curry moved, seconded by Councillor Miller for adoption. Mr. Schweibold thanked the Council for this resolution and stated that they are doing their best to bring the U.S. Aviation Center here to Indianapolis, Indiana. Proposal No. 385, 1985, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 99, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 99, 1985

A SPECIAL RESOLUTION honoring three Allison Gas Turbine Pilots.

WHEREAS, on April 15 Allison Gas Turbine Division aviators R.F. "Fritz" Harvey, Jack Schweibold and Harry B. Sutton flew into Indianapolis with fifteen (15) world class records officially recognized by the Federation Aeronautique Internationale for heavyweight helicopter flights; and

WHEREAS, one or all of the aviator team helped set records for speed (195.15 mph), altitude (15,600 feet), and distance (937.59 miles in a straight line) from the Gulf of Mexico to Canada to Los Angeles; and

WHEREAS, this record breaking trip encompassed fifty-six (56) grueling hours of straight flying time covering some 6,800 miles at an average speed of 121 miles per hour; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis-Marion County City-County Council honors Allison Gas Turbine Division Aviators R.F. "Fritz" Harvey, Jack Schweibold and Harry B. Sutton for their outstanding record breaking flight.

SECTION 2. The Council further extends its appreciation to these three world class aviation record holders for making Indianapolis a focal point for aircraft records world-wide.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 373, 1985. Introduced by Councillor Miller. The Clerk read the

proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Ted Robinette to the Equal Opportunity Advisory Board;" and the President referred it to the Administration Committee.

PROPOSAL NO. 374, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,893,059 for the Division of Employment and Training for the Summer Youth Program;" and the President referred it to the Administration Committee.

PROPOSAL NO. 375, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing changes in the personnel compensation schedule of the Marion County Assessor;" and the President referred it to the County and Townships Committee.

PROPOSAL NO. 376, 1985. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE assigning the responsibility for public housing to the Division of Housing, Department of Metropolitan Development;" and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 377, 1985. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing the Sheriff's Department to exercise law enforcement authority in City Parks;" and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 378, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$1,000 for Superior Court, Civil Division, Room 1 to purchase equipment;" and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 379, 1985. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing a Marion County Forensic Services Agency;" and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 380, 1985. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Fred

Johnston to the Ethics Board;" and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 381, 1985. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Walter Scott to the Transportation Board;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 382, 1985. Introduced by Councillor Hawkins. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of 11th Street;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 383, 1985. Introduced by Councillor Stewart. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at North Catherwood Avenue and Windsor Drive;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 388, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending performance bond requirements in the ordinance regulating construction activities in the right-of-way;" and the President referred it to the Transportation Committee.

MODIFICATION OF SPECIAL ORDERS

PROPOSAL NO. 396, 1985. Introduced by Councillor Journey. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Charles R. Chandler to the Equal Opportunity Advisory Board;" and the President referred it to the Administration Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 389-395, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metro-

politan Development Commission on June 20, 1985". No action was taken on Proposal Nos. 389-395, 1985 by the Council; and the proposals were deemed adopted. Proposal Nos. 389-395, 1985, were retitled REZONING ORDINANCE NOS. 80-86, 1985, and read as follows:

**REZONING ORDINANCE NO. 80, 1985 85-Z-64 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13**

8989 EAST RAYMOND STREET, INDIANAPOLIS

Harvestime Christian Center, by Frank J. Otte, requests the rezoning of 6.59 acres, being in the C-3 and A-2 districts, to the SU-1 classification, to provide for the construction of a church.

**REZONING ORDINANCE NO. 81, 1985 85-Z-65 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1**

6501 EST 71ST STREET, INDIANAPOLIS

Metropolitan Development Commission requests the rezoning of 1.21 acres, being in the C-4 district to the C-6 classification, to correct a map error found relating to rezoning petition 70-Z-14.

**REZONING ORDINANCE NO. 82, 1985 85-Z-66 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1**

3728 WEST 86TH STREET, INDIANAPOLIS

Jay D. Meador and Joan E. Meador, by John W. Tousley, request the rezoning of 0.7 acre, being in the D-2 district, to the C-1 classification, to provide for office use in a residential structure.

**REZONING ORDINANCE NO. 83, 1985 85-Z-67 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 8**

5401 PIKE PLAZA ROAD, INDIANAPOLIS

Village, Inc., by William F. LeMond, requests the rezoning of 7.26 acres, being in the C-4 district, to the C-5 classification, to provide for an automobile dealership including outside sales and display.

**REZONING ORDINANCE NO. 84, 1985 85-Z-68 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 8**

5301 PIKE PLAZA ROAD, INDIANAPOLIS

Norman E. Wiese, by William F. LeMond, requests the rezoning of 12.27 acres, being in the C-4 district, to the C-5 classification, to provide for an automobile dealership including outside sales and display.

**REZONING ORDINANCE NO. 85, 1985 85-Z-69 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13**

4141 SOUTH EMERSON AVENUE, INDIANAPOLIS

Metropolitan Development Commission requests the rezoning of 2.45 acres, being in the D-3 and C-4 districts, to the C-4 classification, to correct a map error found relating to rezoning petition 65-Z-136.

**REZONING ORDINANCE NO. 86, 1985 85-Z-73 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 12**

7202 EAST 21ST STREET, INDIANAPOLIS

Shadeland Enterprises, by Thomas Michael Quinn, Jr., request the rezoning of 10.81 acres, being in the C-2 district, to the C-6 classification, to conform zoning of its use as a hotel and to permit the addition of convention facilities.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 218, 1985. This proposal authorizes the Board of County Commissioners to issue and sell bonds of the County in an amount not to exceed \$4,992,000 to pay certain judgment obligations of the Department of Public Welfare owed to Methodist, Community and I.U. Hospitals. Councillor Cottingham explained that recently six hospitals began legal action against the City for the care of the indigent. These six hospitals included St. Francis, Winona, St. Vincents, Methodist, I.U., and Community. The three smallest were paid in cash with 50 cents on the dollar, which amounted to less than one-half of a million dollars. There was not enough money to pay the three larger hospitals in cash. The three larger hospitals have agreed to take 50 cents on the dollar and to buy the bonds to finance this at a 5% interest rate. The County and Townships Committee on May 14, 1985, recommended Proposal No. 218, 1985, Do Pass by a 5-1 vote. At the May 20, 1985, Council meeting, Proposal No. 218, had been postponed for the preparation of a resolution stating formal recommendations until this meeting. There being no additional testimony Councillor Cottingham moved, seconded by Councillor Howard for adoption. The President called for public testimony at 7:26 p.m.

Mr. Carl Moldthan, Director of the Indianapolis Taxpayers Association, who spoke at the May 20th Council meeting reminded the Council that each year the taxpayers of Marion County provide between \$25 and \$30 million in property taxes for Wishard Hospital for the care of the indigent. He requested that for the sake of Marion County Taxpayers, the Council find another way to pay for health care of the indigent.

Proposal No. 218, 1985, was adopted on the following roll call vote; viz:

23 AYES: *Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Howard, Journey, Miller, Nickell, Rader, SerVaas, Shaw, Stewart, Strader, West*

4 NAYS: *Campbell, Holmes, McGrath, Schneider*

2 NOT VOTING: *Page, Rhodes*

Proposal No. 218, 1985, was retitled SPECIAL ORDINANCE NO. 24, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 24, 1985

A SPECIAL ORDINANCE authorizing the issuance and sale of bonds of the County of Marion in the principal amount of Four Million Nine Hundred Ninety-two Thousand Dollars (\$4,992,000) for the purpose of funding certain judgment obligations of the Marion County Department of Public Welfare.

WHEREAS, Methodist Hospital of Indiana, Inc. (hereinafter "Methodist"); Community Hospital of Indianapolis, Inc. (hereinafter "Community"); and Indiana University Hospitals (hereinafter "I.U. Hospitals") have heretofore asserted claims against the Department under the hospital care for the indigent statute, I.C. 12-5-6, for the payment of costs incurred in providing medical services to certain persons; and

WHEREAS, on April 1, 1985, an Agreed Judgment was entered in the Marion Circuit Court in Cause No. C83-1906, Methodist Hospital of Indiana, Inc., Community Hospital of Indianapolis, Inc., and Indiana University Hospitals vs. Marion County Department of Public Welfare, which Agreed Judgment entered judgments on the aforementioned claims against the Department and in favor of Methodist in the amount of \$6,275,203.98, in favor of Community in the amount of \$2,471,406.25, and in favor of I.U. Hospitals in the amount of \$1,656,630.00; and

WHEREAS, the Agreed Judgment approved a Settlement Agreement among the parties and provided that the judgments entered therein would be satisfied pursuant to the terms and provisions of said Settlement Agreement; and

WHEREAS, pursuant to the Settlement Agreement, Methodist, Community and I.U. Hospitals are entitled to collect the following amounts from the Department in full satisfaction of the judgments:

Methodist - \$3,019,000.00
Community - \$1,159,000.00
I.U. Hospitals - \$814,000.00

WHEREAS, the Marion County Board of Public Welfare has not appealed to borrow money under I.C. 12-1-11.5; and

WHEREAS, the Marion County Auditor has presented to the City-County Council an Estimate and Statement of the Marion County Board of Public Welfare, adopted April 19, 1985, in which the Board finds that, on account of the judgment obligations owed to Methodist, Community and I.U. Hospitals, the county welfare fund will be exhausted before the close of the 1985 fiscal year and that, in addition to funds already made available, the amount of Four Million Nine Hundred Ninety-two Thousand Dollars (\$4,992,000) will be necessary to defray the expenses and pay the obligations of the Board of Public Welfare in the administration of the county welfare activities for the remainder of the 1985 fiscal year, and specifically that said amount will be necessary to pay the judgment obligation referred to above; and

WHEREAS, the Marion County Auditor has presented to the City-County Council the Findings and Order of The Board of Commissioners of the County of Marion, Indiana, adopted April 23, 1985, in which said Board of Commissioners finds that on account of the obligation owed by the Department to Methodist, Com-

munty and I.U Hospitals, the amount of money which will be required, in addition to any money already available, to defray the expenses and to pay the obligations of the Marion County Board of Public Welfare in the administration of the welfare services of the county for the unexpired portion of the 1985 fiscal year is greater than the amount of money which can be advanced from the general fund of the county; that the amount of money which will be required by the Board of Public Welfare to pay the aforementioned judgment obligation, which is in excess of the money already available, is Four Million Nine Hundred Ninety-two Thousand Dollars (\$4,992,000); and that in order to fund such obligation it will be necessary to issue judgment funding bonds of the County of Marion in the amount of Four Million Nine Hundred Ninety-two Thousand Dollars (\$4,992,000); and

WHEREAS, the Board of Commissioners has determined to issue said bonds subject to the approval of the City-County Council, and the Council now finds that it is necessary to issue said bonds in order to fund the judgment obligation owed by the Department to Methodist, Community and I.U. Hospitals; and

WHEREAS, the Council now finds that the County has no funds available or provided for in the existing budgets and tax levies which may be applied to satisfy said judgment obligation, making it necessary to authorize the issuance of bonds of the County in order to procure the funds to be furnished by the County, and that a necessity exists for the making of the additional appropriation hereinafter set out; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Board of Commissioners of the County of Marion is hereby authorized to make a loan, for and on behalf of said County, for the purpose of procuring funds required, in addition to the money already available, to defray the expenses and to pay the obligations of the Marion County Board of Public Welfare in the administration of the welfare services of the county for the unexpired portion of the 1985 fiscal year, and specifically for the purpose of funding the judgment obligation of the Marion County Department of Public Welfare in the amount of Four Million Nine Hundred Ninety-two Thousand Dollars (\$4,992,000). The payment of said judgment obligation is made pursuant to the Agreement entered into on April 1, 1985, by and between Methodist, Community and I.U. Hospitals, and the Department, and such payment is in full and complete satisfaction of the judgments entered against the Department in favor of Methodist, Community and I.U. Hospitals by the Marion Circuit Court in Cause No. C83-1906. Methodist Hospital of Indiana, Inc., Community Hospital of Indianapolis, Inc., and Indiana University Hospitals vs. Marion County Department of Public Welfare.

SECTION 2. In order to procure said loan the Board of Commissioners is authorized to issue and sell bonds of the County in a manner and form provided by I.C. 12-1-11 and I.C. 6-1.1-20. The maximum amount of said loan and bonds issued to evidence and same shall not exceed the amount of Four Million Nine Hundred Ninety-two Thousand Dollars (\$4,992,000), and the bonds shall bear interest at a rate or rates not to exceed five percent (5%) per annum (the exact rate or rates to be determined by bidding), which interest shall be payable semiannually on June 30 and December 31 of each year commencing June 30, 1986. The bonds shall mature and be payable in six (6) semiannual series on the dates and in the amounts as follows:

<u>DATE</u>	<u>AMOUNT</u>
June 30, 1986	\$832,000
December 31, 1986	832,000

June 30, 1987	832,000
December 31, 1987	832,000
June 30, 1988	832,000
December 31, 1988	832,000

SECTION 3. As soon as can be done after passage of this ordinance the Board of Commissioners shall enter an order fixing the exact amount of the proposed loan but in no event exceeding the amount of Four Million Nine Hundred Ninety-two Thousand Dollars (\$4,992,000) and providing that the interest rate shall be the lowest rate bid on said bonds but in no event exceeding the rate of five percent (5%) per annum. The Board of Commissioners may fix the denominations of such bonds or may provide that the bonds will be issued in the denominations as are requested by the successful bidder, provided that the denominations so selected shall not change the amount of the serial maturities of such bonds. The Board of Commissioners shall also adopt the form of bond to be used in the issuance of such bonds and such form shall be substantially followed in the issuance of such bonds.

SECTION 4. As soon as can be done after adoption of said final order by the Board of Commissioners of the County of Marion, the County Auditor shall give notice to the taxpayers of the determination to make the loan and to issue the bonds herein authorized. Said notice shall be published in Marion County and shall also be posted in three public places in the County, all as provided by 6-1.1-20-5.

In the event an objecting petition shall be filed with the County Auditor by owners of taxable real estate under the provisions of I.C. 6-1.1-20-5, then no further steps toward the issuance of said bonds shall be taken unless and until the State Board of Tax Commissioners shall issue its order approving the issuance of said bonds. In the event it shall be determined by the State Board of Tax Commissioners, or otherwise, that the whole amount of the bonds herein authorized shall not be issued, then the Auditor shall be authorized to advertise and sell a lesser amount of bonds and the bonds not issued and old shall be the bonds of the longest maturity or maturities.

SECTION 5. The proceeds from the sale of said bonds, in the amount of Four Million Nine Hundred Ninety-two Thousand Dollars (\$4,992,000), are hereby appropriated to the Marion County Department of Public Welfare for the purpose of satisfying the judgment obligation referred to herein.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 339, 1985. This proposal appropriates \$2,590 for the Lawrence, Pike and Wayne Township Assessors for increased postage, mileage and other expenses. Councillor Cottingham stated that these three Assessors have experienced various increases such as postage and mileage. The Lawrence Township Assessor will be receiving \$1,240 for the increases and also to purchase a calculator for a field person. The Pike Township Assessor will be receiving \$1,000 for postage, mileage and equipment repair. The Wayne Township Assessor will receive \$350 for the unexpected increases. The County and Townships Commit-

tee on June 18, 1985, recommended Proposal No. 339, 1985, Do Pass by a vote of 6-0. The President called for public testimony at 7:31 p.m. There being no one present to testify, Councillor Cottingham moved, seconded by Councillor Gilmer for adoption. Proposal No. 339, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

4 NOT VOTING: *Borst, Clark, Howard, Page*

Proposal No. 339, 1985, was retitled FISCAL ORDINANCE NO. 53, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 53, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Two Thousand Five Hundred Ninety Dollars (\$2,590) in the County General Fund for purposes of the Lawrence, Pike and Wayne Township Assessors and reducing certain other appropriations for the Marion County Auditor.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(2) and (d) (4, 6 and 9) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds for increased postage, mileage and other expenses to complete 1985 field work.

SECTION 2. The sum of Two Thousand Five Hundred Ninety Dollars (\$2,590) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:	
LAWRENCE TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
3. Other Services & Charges	\$1,000
4. Capital Outlay	240
	<u>\$1,240</u>
<u>PIKE TOWNSHIP ASSESSOR</u>	
3. Other Services & Charges	\$1,000
<u>WAYNE TOWNSHIP ASSESSOR</u>	
3. Other Services & Charges	350
TOTAL INCREASE	<u>\$2,590</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

COUNTY AUDITOR
3. Other Services & Charges
4. Capital Outlay
TOTAL REDUCTION

COUNTY GENERAL FUND
\$2,350
240
\$2,590

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 340, 1985. This proposal appropriates \$3,000 for the Lawrence Township Assessor to increase personal services due to the increased parcels and homes in the township. Councillor Cottingham explained that there has been an increase in the number of homes in Lawrence Township, and these funds will be utilized to fund an increase in the salary of a field person and to hire one summer employee. This appropriation is being funded through a transfer of funds from the Warren Township Assessor to the Lawrence Township Assessor. The County and Townships Committee on June 18, 1985, recommended Proposal No. 340, 1985, Do Pass by a vote of 5-1. The President called for public testimony at 7:32 p.m. There being no one present to testify Councillor Cottingham moved, seconded by Councillor Crowe for adoption. Proposal No. 340, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

1 NAY: Boyd

2 NOT VOTING: Howard, Page

Proposal No. 340, 1985, was retitled FISCAL ORDINANCE NO. 54, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 54, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Three Thousand Dollars (\$3,000) in the County General Fund for purposes of the Lawrence Township Assessor and reducing certain other appropriations for the Warren Township Assessor.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (d)(4 and 7) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds to increase personal services based on the rapid increase of new parcels and homes in the township.

SECTION 2. The sum of Three Thousand Dollars (\$3,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

LAWRENCE TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
1. Personal Services	<u>\$3,000</u>
TOTAL INCREASE	<u>\$3,000</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

WARREN TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
1. Personal Services	<u>\$3,000</u>
TOTAL REDUCTION	<u>\$3,000</u>

SECTION 5. The personnel schedules are hereby amended by deleting the cross-hatched portions and adding the new amounts as underlined herein:

(4) LAWRENCE TOWNSHIP ASSESSOR - Dept. 20

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	31,202	31,202
Chief Deputy	1	23,397	23,397
Deputies	9	22,684	197,085 98,345
Temporary			5,100 6,840
Vacancy Factor	—		<u>(3,734)</u>
TOTAL	11	153,050	<u>156,050</u>

(7) WARREN TOWNSHIP ASSESSOR - Dept. 31

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	34,670	34,670
Chief Deputy	1	26,000	26,000
Deputies	9	21,840	165,196
Temporary	—		17,931 14,931
TOTAL	11	244,707	<u>240,797</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 341, 349, 354 and 355, 1985. These proposals all concern the

Prosecutor's Child Support IV-D Agency. Councillor Dowden stated that PROPOSAL NO. 341, 1985, adds two Clerks Specialist III's at a salary of \$10,000 each to the personnel schedule to assist the full-time Title IV-D Commission, which is included in Proposal No. 349. Seventy percent of the cost will be reimbursed by the federal government, and the remaining 30% will be offset by increased collection reimbursement and incentive. PROPOSAL NO. 349, 1985, adds one full-time Commissioner at a salary of \$27,900 to hear IV-D cases and by adding two bailiffs at a salary of \$15,350 each to assist with the IV-D cases. It was decided that the three positions should be within the personnel schedule of the Roving Court Reporter since the presiding judge changes yearly. PROPOSAL NO. 354, 1985, appropriates \$36,800 for the Prosecutor's Child Support Division IV-D Agency for office rental for the relocation of the agency. Since 1979, the Child Support Division has doubled in size and revenues have more than doubled. The Division currently has ten employees working in 800 square feet of "borrowed space" from the County Clerk's Office (Election Board). The Division plans to relocate to the second floor of the Indiana Farm Bureau Building. The move has been approved by the Space Allocation Committee. PROPOSAL NO. 355, 1985, appropriates \$15,100 to add a Deputy Prosecutor to assist in handling additional child support cases heard by the Title IV-D Commissioner. The Public Safety and Criminal Justice Committee on June 12, 1985, recommended Proposal Nos. 341, 349, 354 and 355, 1985, Do Pass by a vote of 7-0. The President called for public testimony at 7:45 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Hawkins for adoption. Proposal No. 341, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

2 NOT VOTING: *Cottingham, Page*

Proposal No. 341, 1985, was retitled FISCAL ORDINANCE NO. 55, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 55, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Fourteen Thousand Nine Hundred Dollars (\$14,900) in the County General Fund for purposes of the Marion County Clerk of the Circuit Court and County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(2 and 3) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating Title IV-D funds for two clerks to assist a new Title IV-D Commissioner.

SECTION 2. The sum of Fourteen Thousand Five Hundred Dollars (\$14,900) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

CLERK OF THE CIRCUIT COURT	COUNTY GENERAL FUND
1. Personal Services	\$11,700
<u>COUNTY AUDITOR</u>	
1. Personal Services (Fringes)	<u>3,200</u>
TOTAL INCREASE	\$14,900

SECTION 4. The said additional appropriations are funded by the following reductions:

CLERK OF THE CIRCUIT COURT	COUNTY GENERAL FUND
Unappropriated and Unencumbered	
County General Fund	<u>\$14,900</u>
TOTAL REDUCTION	\$14,900

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(3) CLERK OF THE CIRCUIT COURT - Dept. 07

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	35,355	35,355
Chief Deputy	1	26,045	26,045
Chief Clerk	1	24,513	24,513
Sr. Admin. Asst.	2	23,530	43,286
Admin. Asst.	1	18,375	20,378
Supervisor	10	18,375	120,000
Asst. Supervisor	6	16,120	64,000
Clerk Specialist I	8	14,700	77,885
Clerk Specialist II	45	13,650	476,619
Clerk Specialist III	50 <u>52</u>	11,466	1459,1921 <u>479,621</u>
Temporary			30,000
Vacancy Factor			(38,127) <u>(41,427)</u>
TOTAL	125 <u>127</u>	1,044,575 <u>1,356,275</u>	

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 349, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Cottingham, Page

Proposal No. 349, 1985, was retitled FISCAL ORDINANCE NO. 56, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 56, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Forty-one Thousand Six Hundred Dollars (\$41,600) in the County General Fund for purposes of the Marion County Superior Court, Roving Court Reporter and County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(2) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for a full time commissioner and two bailiffs to hear Title IV-D cases.

SECTION 2. The sum of Forty-one Thousand Six Hundred Dollars (\$41,600) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY SUPERIOR COURT

ROVING COURT REPORTER

1. Personal Services

COUNTY GENERAL FUND

\$34,200

COUNTY AUDITOR

1. Personal Services (Fringes)

7,400

TOTAL INCREASE

\$41,600

SECTION 4. The said additional appropriations are funded by the following reductions:

MARION COUNTY SUPERIOR COURT
ROVING COURT REPORTER

COUNTY GENERAL FUND

Unappropriated and Unencumbered
County General Fund
TOTAL REDUCTION

\$41,600
\$41,600

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(2) SUPERIOR COURT - ROVING COURT REPORTER - Dept. 49

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
General Term Court Reporter	1	19,933	19,933
<u>Commissioner</u>	<u>0/ 1</u>	<u>/0 27,900</u>	<u>/0 27,900</u>
<u>Bailiff</u>	<u>/ 2</u>	<u>/ 15,350</u>	<u>/0 30,700</u>
<u>Vacancy Factor</u>			<u>/0 (24,400)</u>
TOTAL	<u>1/ 4</u>	<u>/18,983/</u>	<u>54,133</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 354, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Campbell, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

4 NOT VOTING: Bradley, Clark, Cottingham, Page

Proposal No. 354, 1985, was retitled FISCAL ORDINANCE NO. 57, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 57, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Thirty-six Thousand Eight Hundred Dollars (\$36,800) in the County General Fund for purposes of the Prosecutor's Child Support IV-D Agency and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(23) of the City-County Annual Budget for

1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for office rental for the relocation of the agency.

SECTION 2. The sum of Thirty-six Thousand Eight Hundred Dollars (\$36,800) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

PROSECUTOR'S CHILD SUPPORT

IV-D AGENCY

COUNTY GENERAL FUND

FUND

3. Other Services & Charges

\$36,800

TOTAL INCREASE

\$36,800

SECTION 4. The said additional appropriations are funded by the following reductions:

PROSECUTOR'S CHILD SUPPORT

IV-D AGENCY

COUNTY GENERAL FUND

Unappropriated and Unencumbered

County General Fund

\$36,800

TOTAL REDUCTION

\$36,800

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 355, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader*
NO NAYS

4 NOT VOTING: *Crowe, Curry, Page, West*

Proposal No. 355, 1985, was retitled FISCAL ORDINANCE NO. 58, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 58, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Fifteen Thousand One Hundred Dollars (\$15,100) in the County General Fund for purposes of the Prosecutor's Child Support IV-D Agency and the County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(2) and (b)(23) of the City-County

Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds to employ one additional deputy prosecutor for Title IV-D cases and will be 70% reimbursed by the Federal Government.

SECTION 2. The sum of Fifteen Thousand One Hundred Dollars (\$15,100) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

PROSECUTOR'S CHILD SUPPORT		COUNTY GENERAL FUND
IV-D AGENCY		
1. Personal Services		\$12,500
COUNTY AUDITOR		
1. Personal Services (Fringes)		<u>2,600</u>
TOTAL INCREASE		\$15,100

SECTION 4. The said additional appropriations are funded by the following reductions:

PROSECUTOR'S CHILD SUPPORT		COUNTY GENERAL FUND
IV-D AGENCY		
Unappropriated and Unencumbered		
County General Fund		<u>\$15,100</u>
TOTAL REDUCTION		\$15,100

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(23) PROSECUTOR'S CHILD SUPPORT IV-D AGENCY - Dept. 04

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Supervisor Professional	2	40,110	46,800
Administrative Supervisor	5	23,377	86,000
Deputy Prosecutors	<u>9/10</u>	36,135	167,136 <u>192,136</u>
Paralegals	26	19,513	350,000
Secretaries	24	16,926	265,264
Temporary			60,261
Vacancy Factor			(60,000) <u>(72,500)</u>
TOTAL	66 <u>67</u>		815,464 <u>927,961</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 346, 1985. This proposal appropriates \$208,503 for the Community Corrections Advisory Board to continue the Community Corrections Program for the second half of 1985. Councillor Dowden stated that Proposal

No. 346 creates a Vacancy Factor of (\$27,169). The Auditor elected to over budget Personal Services in January, 1985 in order not to have a Vacancy Factor. This Vacancy Factor is for four new positions and salary increases that were not paid the first six months of 1985. The Public Safety and Criminal Justice Committee on June 12, 1985, recommended Proposal No. 346, 1985, Do Pass As Amended, by a vote of 7-0. The amendment was a technical correction in the personnel schedule. The President called for public testimony at 7:46 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Giffin for adoption. Proposal No. 346, 1985, as amended, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Campbell, Clark, Cottingham, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

3 NOT VOTING: *Bradley, Coughenour, Page*

Proposal No. 346, 1985, as amended, was retitled FISCAL ORDINANCE NO. 59, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 59, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Two Hundred Eight Thousand Five Hundred Three Dollars (\$208,503) in the State and Federal Grant Fund for purposes of the Marion County Community Corrections Advisory Board and County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(25) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for July 1 to December 31, 1985 to continue the Community Corrections Program which will be reimbursed by the State.

SECTION 2. The sum of Two Hundred Eight Thousand Five Hundred Three Dollars (\$208,503) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:
COMMUNITY CORRECTIONS ADVISORY BD.

STATE AND FEDERAL GRANT FUND

31. Personal Services

\$ 25,674

33. Travel	4,210
34. Equipment	5,000
35. Operating Expenses	<u>155,000</u>
	\$189,884

COUNTY AUDITOR

31. Personal Services (Fringes)	\$ 18,619
TOTAL INCREASE	<u>\$208,503</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

COMMUNITY CORRECTIONS ADVISORY BD.

STATE AND FEDERAL GRANT FUND

Unappropriated and Unencumbered State and Federal Grant Fund	<u>\$208,503</u>
TOTAL REDUCTION	<u>\$208,503</u>

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Professional	<u>/5 7</u>	<u>211,190 25,410</u>	<u>86,070 127,110</u>
Admin./Clerical	<u>11 3</u>	<u>121,075/ 14,490</u>	<u>121,075 23,390</u>
Temporary/Interns			<u>7,500 7,988</u>
<u>Vacancy Factor</u>			<u>/0/ (27,169)</u>
TOTAL	<u>\$/ 10</u>		<u>105,645/ 131,319</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 350, 1985. This proposal appropriates \$47,696 for the Presiding Judge of the Municipal Court for an Initial hearing Court for all OVWI's (Operating a Vehicle While Intoxicated). Councillor Dowden informed the Council that the Governor' Task Force on Drunk Driving has selected Marion County as one of several counties to receive grant money through the State's Department of Transportation for alcohol safety impact programs. In conjunction with the Prosecutor's Office, the Municipal Court has proposed an Initial Hearing Court for all incoming OVWI. The new Court will be supervised by the Presiding Judge and manned by appointed commissioners and a small staff trained in processing. The Public Safety and Criminal Justice Committee on June 12, 1985, recommended Proposal No. 350, 1985, Do Pass by a vote of 8-0. The President called for public testimony at 7:50 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Gilmer for adoption. Proposal No. 350, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, West

NO NAYS

3 NOT VOTING: Hawkins, Page, Shaw

Proposal No. 350, 1985, was retitled FISCAL ORDINANCE NO. 60, 1985, and read as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 60, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Forty-seven Thousand Six Hundred Ninety-six Dollars (\$47,696) in the State and Federal Grant Fund for purposes of the Presiding Judge of the Municipal Court and the County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(24) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for an Initial Hearing Court for all OVWI's which will be reimbursed by a Department of Transportation Grant for alcohol safety.

SECTION 2. The sum of Forty-seven Thousand Six Hundred Ninety-six Dollars (\$47,696) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:
PRESIDING JUDGE OF THE MUN. COURT

	STATE AND FEDERAL GRANT FUND
31. Personal Services	\$41,295
<u>COUNTY AUDITOR</u>	
31. Personal Services (Fringes)	<u>6,401</u>
TOTAL INCREASE	\$47,696

SECTION 4. The said additional appropriations are funded by the following reductions:

	STATE AND FEDERAL GRANT FUND
Unappropriated and Unencumbered	
State and Federal Grant Fund	<u>\$47,696</u>
TOTAL REDUCTION	\$47,696

SECTION 5. The personnel schedule for the Presiding Judge of the Municipal Court, State and Federal Grant Fund is hereby established as follows:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Professional	1	18,000	18,000
Clerk	1	9,295	9,295
Specialist	<u>1</u>	14,000	14,000
TOTAL	3		41,295

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 352, 1985. This proposal appropriates \$45,254 for the Prosecuting Attorney for the youth Resource Center Federal Grant and a Driving While Intoxicated Project. Councillor Dowden explained that \$17,142 of Crime Control Funds is for the existing Youth Resource Center Grant which will expire September 30, 1985. There are also \$17,655 of State Department of Transportation Funds included in Proposal No. 352 to be used in conjunction with Proposal No. 350 which was just adopted by this Council. The Public Safety and Criminal Justice Committee on June 12, 1985, recommended Proposal No. 352, 1985, Do Pass by a vote of 7-0. The President called for public testimony at 8:02 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Rhodes for adoption. Proposal No. 352, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Boyd, Page

Proposal No. 352, 1985, was retitled FISCAL ORDINANCE NO. 61, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 61, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Forty-five Thousand Two Hundred Fifty-four Dollars (\$45,254) in the State and Federal Grant

Fund for purposes of the Marion County Prosecuting Attorney and County Auditor and reducing certain other appropriations for the Prosecuting Attorney and the unappropriated and unencumbered balance in the State and Federal Grant Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(2) and (b)(22) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the Youth Resource Center Federal Grant and a Driving While Intoxicated project both of which are reimbursed.

SECTION 2. The sum of Forty-five Thousand Two Hundred Fifty-four Dollars (\$45,254) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations and the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

PROSECUTING ATTORNEY	STATE AND FEDERAL GRANT FUND
31. Personal Services	\$32,797
32. Contractual Services	<u>2,000</u>
	\$34,797
COUNTY AUDITOR	
31. Personal Services (Fringes)	<u>\$10,457</u>
TOTAL INCREASE	\$45,254

SECTION 4. The said additional appropriations are funded by the following reductions:

PROSECUTING ATTORNEY	STATE AND FEDERAL GRANT FUND
35. Operating Expenses	\$ 2,300
Unappropriated and Unencumbered	
State and Federal Grant Fund	<u>42,954</u>
TOTAL REDUCTION	\$45,254

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Deputy Prosecutors	4 <u>5</u>	32,000	62,000 <u>71,848</u>
Witness Coordinator	1	18,000	18,000
Paralegal	1 <u>2</u>	17,000	17,000 <u>22,807</u>
Investigator	1	21,000	21,000
Project Analyst	1	11,000	11,000
Director	4	23,500 <u>26,000</u>	51,713 <u>60,713</u>
Volunteer Coordinator	1	15,000	15,000
Project Coordinator	1	9,240	5,331
Secretary	4	14,500	25,444 <u>31,886</u>
Counselor	2	15,000	29,000
Screening Deputy	1	12,000	10,000
Intern	1	13,000	6,500
Data Entry Clerk	1	13,000	6,500
Vacancy Factor			(56,525)

Temporary

0/ 1,700

TOTAL

13 25

221,963 254,760

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 353, 1985. This proposal appropriates \$24,113 for the Prosecuting Attorney for expenses pertaining to the Pre-Trial Diversion Program. Councillor Dowden stated that the Pre-Trial Diversion Programs implemented in 1984 will generate over \$400,000 by the end of 1985. Proposal No. 353 requests a pro-rated amount of \$15,077 for the salary and fringe benefits of a Pre-Trial Diversion Coordinator, which should benefit the program and bring even more revenue into Marion County. The Public Safety and Criminal Justice Committee on June 12, 1985, recommended Proposal No. 353, 1985, Do Pass by a vote of 7-0. The President called for public testimony at 8:05 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Borst for adoption. Proposal No. 353, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Page

Proposal No. 353, 1985, was retitled FISCAL ORDINANCE NO. 62, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 62, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twenty-four Thousand One Hundred Thirteen Dollars (\$24,113) in the County General Fund for purposes of the Marion County Prosecuting Attorney and County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(2) and (b)(22) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for expenses pertaining to the Pre-Trial Diversion Program which has been collected from participants in the program.

SECTION 2. The sum of Twenty-four Thousand One Hundred Thirteen Dollars (\$24,113) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

PROSECUTING ATTORNEY	COUNTY GENERAL FUND
1. Personal Services	\$20,960
3. Other Services & Charges	<u>2,023</u>
	\$22,983

COUNTY AUDITOR

1. Personal Services (Fringes)	<u>\$ 1,130</u>
TOTAL INCREASE	\$24,113

SECTION 4. The said additional appropriations are funded by the following reductions:

PROSECUTING ATTORNEY	COUNTY GENERAL FUND
Unappropriated and Unencumbered	
County General Fund	<u>\$24,113</u>
TOTAL REDUCTION	\$24,113

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(22) PROSECUTING ATTORNEY - Dept. 25

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	7,245	7,245
Chief Trial Deputy	1	4,928	4,928
Admin. Staff	3	25,716	62,700
Admin. Supervisor	8	26,000	87,868
Admin. Secretary	12	17,196	145,050
General Secretary	11	16,932	133,101
Computer Staff	4	14,635	40,000
Investigator	4	40,110	90,000
Law Clerk	13	15,855	91,000
Paralegal	17	19,513	215,218
Chief Counsel	1	42,110	42,110
Supv. of Professionals	8	40,110	277,819
Full & Part-time Deputy			
Prosecutors	47	36,135	1,060,620
Temporary			20,000
Vacancy Factor		(103,475)	<u>(109,515)</u>
TOTAL	130	2,114,714.84	<u>2,168,144</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 356, 1985. This proposal appropriates \$23,424 for the Air Pollution Control Division for training and retaining qualified personnel. Councillor West requested that Proposal No. 356, 1985, be postponed in Council until the meeting of July 22, 1985. Consent was given.

PROPOSAL NO. 359, 1985. This proposal appropriates \$2,550,000 for the Department of Transportation to complete the 1984 resurfacing program. Councillor Gilmer explained that earlier this year the Department of Transportation purchased additional vehicles. Proposal No. 359, replaces approximately \$1,500,000 of unspent wheel tax funds from 1984 and 1985 which was used to fund the equipment to continue resurfacing streets this year. This proposal also appropriates \$600,000 of gas tax funds to be received this year and also \$400,000 of overtime budgeted for 1985 that will be underspent. The Transportation Committee on June 19, 1985, recommended Proposal No. 359, 1985, Do Pass by a vote of 5-0. The President called for public testimony at 8:07 p.m. There being no one present to testify Councillor Gilmer moved, seconded by Councillor Howard for adoption. Proposal No. 359, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: *Page*

Proposal No. 359, 1985, was retitled FISCAL ORDINANCE NO. 63, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 63, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Two Million Five Hundred Fifty Thousand Dollars (\$2,550,000) in the Transportation General Fund for purposes of the Department of Transportation and reducing certain other appropriations for that department and the unappropriated and unencumbered balance in the Transportation General Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds to complete the 1984 resurfacing program and transferring funds for supplies and contractual services.

SECTION 2. The sum of Two Million Five Hundred Fifty Thousand Dollars (\$2,550,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations and the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:
DEPARTMENT OF TRANSPORTATION

	TRANSPORTATION GENERAL FUND
2. Supplies	\$ 650,000
3. Other Services & Charges	1,850,000
4. Capital Outlay	<u>50,000</u>
TOTAL INCREASE	\$2,550,000

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF TRANSPORTATION

	TRANSPORTATION GENERAL FUND
1. Personal Services	\$ 400,000
Unappropriated and Unencumbered	
Transportation General Fund	<u>2,150,000</u>
TOTAL REDUCTION	\$2,550,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 303, 1985. This proposal changes parking controls on a portion of Illinois Street. Councillor Gilmer stated that the Transportation Committee on June 19, 1985, recommended Proposal No. 303, 1985, to be stricken. Proposal No. 303, 1985, was stricken by unanimous voice vote.

PROPOSAL NO. 346, 1984. This proposal changes parking controls on portions of Northwestern Avenue. Councillor Cottingham moved to strike Proposal No. 346, 1984. Councillor Howard, sponsor of Proposal 346, 1984, consented stating that he would start work on this problem again. Proposal No. 346, 1984, was stricken by unanimous voice vote.

PROPOSAL NO. 343, 1985. This proposal amends the Code to allow the Council to review bond issues proposed by the Municipal Corporations. Councillor Clark explained that Proposal No. 343 allows the Council to review all proposed bond issues of the Airport Authority, Health and Hospital, Marion County Public Library, Capital Improvement Board and the Indianapolis Public Transportation Corporation. The Municipal Corporations Committee did amend Proposal No. 343, to read "bond to be financed by local tax dollars". This amendment distinguishes between tax bonds or revenue bonds. The Committee on June 20, 1985, recommended Proposal No. 343, 1985, Do Pass As Amended, by a vote of 6-0. Councillor Clark moved, seconded by Councillor Rhodes for adoption. Proposal No. 343, 1985, as amended, was adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

1 NOT VOTING: *Page*

Proposal No. 343, 1985, as amended, was retitled GENERAL ORDINANCE NO. 42, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 42, 1984

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by adding a new Division 6 in Article X of Chapter 2.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", be and is hereby amended by adding a new Division 6 in Article X of Chapter 2 as follows:

DIVISION 6 - BONDS

Sec. 2-420. Authority exercised.

Pursuant to the authority conferred by statute, and in particular I.C. 36-3-6-9(c), the council determines to review all proposed bond issues to be financed by local tax dollars of an airport authority operating under I.C. 8-22-3, a health and hospital corporation operating under I.C. 16-12-21, a public library operating under I.C. 20-14, a capital improvement board of managers operating under I.C. 36-10, or a public transportation corporation operating under I.C. 36-9-4.

Sec. 2-421. Procedure for review.

Any entity subject to this division which proposes to issue bonds to be financed by local tax dollars shall submit such proposed bonds for review by the council as follows:

- (a) Prior to publication of the legal notice of intention to issue such bonds, the entity shall file with the Clerk of the Council the details of the proposed uses of such bonds.
- (b) The Clerk shall forward copies to all members of the Council.
- (c) The President shall assign such proposed bond issue to the Municipal Corporations Committee.
- (d) The committee shall hold a public hearing to consider the testimony of the entity in support of such bonds.
- (e) After hearing, the committee may propose such action by the Council as it deems appropriate.

Sec. 2-422. Objections.

If the council raises objection to such proposed bonds or if these procedures of the division are not followed, the Council may remonstrate at the hearing before the State Board of Tax Commissioners on the approval of the bonds.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 345, 1985. This proposal authorizes the Community Corrections Advisory Board to contract with agencies to provide residential space and services for a community corrections program. Councillor Dowden stated that the former contract to provide residential space and services was with: 1) Volunteers of America (21 bed capacity for male offenders); and 2) J.P. Craine House (5 bed capacity for female offenders). There has been a waiting list for offenders to be placed in this component, the Board has elected to maintain these two contracts and approve two additional facilities: 1) Public Action in Correctional Effort, Inc. (PACE) (for both male and female offenders); and 2) Riverside Residential Center (for male offenders). Proposal No. 345, 1985, was

amended to include the two additional facilities as mentioned above. The Public Safety and Criminal Justice Committee on June 12, 1985, recommended Proposal No. 345, 1985, Do Pass As Amended, by a vote of 7-0. Councillor Dowden moved, seconded by Councillor Holmes for adoption. Proposal No. 345, 1985, as amended, was adopted on the following roll call vote; viz:

25 AYES: *Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

3 NAYS: *Borst, Durnil, Journey*

1 NOT VOTING: *Page*

Proposal No. 345, 1985, as amended, was retitled GENERAL RESOLUTION NO. 8, 1985, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 8, 1985

A GENERAL RESOLUTION authorizing the Marion County Community Corrections Advisory Board to contract with the Volunteers of America, J.P. Craine House, Riverside Residential Center and Public Action in Correctional Effort, Inc. (PACE) to provide residential space and services for a community corrections program.

WHEREAS, the Marion County Community Corrections Advisory Board was established pursuant to I.C. 11-12-1-2 and City-County Special Resolution No. 103, 1981; and

WHEREAS, any agreement entered into by the Advisory Board to provide residential space for a community corrections program must be approved by the City-County Council; and

WHEREAS, the Marion County Community Corrections Advisory Board desires to contract with the Volunteers of America, J.P. Craine House, Riverside Residential Center and Public Action in Correctional Effort, Inc. (PACE) to provide residential space and services for a community corrections program; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council of Indianapolis and Marion County, as the legislative body of Marion County, hereby approves the contractual agreement contemplated by the Marion County Community Corrections Advisory Board and the Volunteers of America, J.P. Craine House, Riverside Residential Center and Public Action in Correctional Effort, Inc. (PACE) to provide residential facilities and services for a community corrections program.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 348, 1985. This proposal transfers \$750 for Superior Court, Civil Division, Room Seven to purchase equipment. Councillor Dowden reported that the transfer is from Supplies to Capital Outlay for the purchase of a new IBM typewriter. The Public Safety and Criminal Justice Committee on June 12, 1985, recommended Proposal No. 348, 1985, Do Pass by a vote of 8-0. Councillor Dowden moved, seconded by Councillor Gilmer. Proposal No. 348, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Page

Proposal No. 348, 1985, was retitled FISCAL ORDINANCE NO. 64, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 64, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Seven Hundred Fifty Dollars (\$750) in the County General Fund for purposes of the Marion County Superior Court, Civil Division, Room Seven and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(20) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds for the purchase of equipment.

SECTION 2. The sum of Seven Hundred Fifty Dollars (\$750) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

MARION COUNTY SUPERIOR COURT,
CIVIL DIVISION, ROOM SEVEN

COUNTY GENERAL FUND

4. Capital Outlay
TOTAL INCREASE

\$750
\$750

SECTION 4. The said increased appropriation is funded by the following reductions:	
MARION COUNTY SUPERIOR COURT,	
CIVIL DIVISION, ROOM SEVEN	COUNTY GENERAL FUND
2. Supplies	\$750
TOTAL REDUCTION	<u>\$750</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 351, 1985. This proposal authorizes changes in the personnel compensation schedule of the Presiding Judge of the Municipal Court. Councillor Dowden explained that state law requires that a part-time judge be paid at least 40% of the county share of the pay for a full-time judge. Proposal No. 351, increases the Maximum Per Classification for the Judge category from \$242,476 to \$247,104 and also adjusts the Maximum Salary Per Classification for Professionals category from \$25,844 to \$28,080 to allow the Public Defender Coordinator to be a full-time attorney in the Public Defender/Pretrial Services area. This is accomplished by increased the Vacancy Factor from (\$197,891) to (\$202,519). The Public Safety and Criminal Justice Committee on June 12, 1985, recommended Proposal No. 351, 1985, Do Pass by a vote of 8-0. Councilor Dowden moved, seconded by Councillor Holmes for adoption. Proposal No. 351, 1985, was adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

1 NOT VOTING: *Page*

Proposal No. 351, 1985, was retitled FISCAL ORDINANCE NO. 65, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 65, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the Presiding Judge of the Municipal Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 2.02 (b)(24) of City-County Fiscal Ordinance No. 65, 1984, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(24) PRESIDING JUDGE OF THE MUNICIPAL COURT - Dept. 47
County General Fund

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judges	15	17,160	124,744 <u>247,104</u>
Court Reporters	16	18,616	<u>279,240</u>
Bailiffs	47	17,550	689,078
Managers	3	29,744	78,520
Supervisors/Admin. Asst.	9	20,930	164,060
Court Specialists	48	15,574	503,802
Professional	76	175,184 <u>28,080</u>	792,350
Temporary			16,486
Vacancy Factor			(497,891) <u>(202,519)</u>
TOTAL	214		2,568,121

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 357, 1985. This proposal sets the amounts of the surety bonds for the directors and the executive director of the Indianapolis Local Public Improvement Bond Bank. Councillor Coughenour told the Council that the City Legal Division investigated state law and determined the amounts at which the surety bonds should be set. For each Director it is recommended that \$8,500 be set, and for the Executive Director it is recommended to be \$300,000. This will cost the City of Indianapolis approximately \$1,050 to bond these people with the Indiana Insurance Company. The Administration Committee on June 17, 1985, recommended Proposal No. 357, 1985, Do Pass by a vote of 5-0. Councillor Coughenour moved, seconded by Councillor Gilmer for adoption. Proposal No. 357, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

3 NOT VOTING: Clark, Dowden, Page

Proposal No. 357, 1985, was retitled GENERAL ORDINANCE NO. 43, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 43, 1985

A GENERAL ORDINANCE amending Chapter 2, Article V, Division 1, of the "Code of Indianapolis and of Marion County, Indiana", by adding a new Section 2-195 establishing the amount of the surety bonds for the Directors and the Executive Director of the Indianapolis Local Public Improvement Bond Bank.

WHEREAS, I.C. 5-1.4, as added to the Indiana Code by House Enrolled Act No. 1865 of the Indiana General Assembly (the "Act"), creates The Indianapolis Local Public Improvement Bond Bank ("Bank"), a body corporate and politic separate from the City in its corporate capacity, the purpose of such Bank being to buy and sell securities of certain "qualified entities" as that term is defined in the Act; and

WHEREAS, the Act establishes a Board of Directors to govern the Bank and requires the Board to appoint an Executive Director; and

WHEREAS, the Act requires each Director and the Executive Director to execute a surety bond in an amount specified by the legislative body of the City, which bonds are to be conditioned upon the faithful performance of the duties of the office of the Director and Executive Director; and

WHEREAS, it is necessary for the Council to establish the amount of such required surety bond; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Chapter 2, Article V, Division 1 of the "Code of Indianapolis and of Marion County, Indiana", is hereby amended by adding a new Section 2-195 to read as follows:

Sec. 2-195. Surety bonds for directors and executive director of Indianapolis Local Public Improvement Bond Bank.

Pursuant to I.C. 5-1.4-2-6, the City-County Council of the City of Indianapolis and of Marion County fixes the amount of the surety bonds for the directors and the executive director of the Indianapolis Local Public Improvement Bond Bank as follows:

- | | |
|-----------------------|---------------|
| a. Directors | \$ 8,500 each |
| b. Executive Director | \$300,000 |

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 360, 1985. This proposal transfers \$7,500 for the Parking Meter Division for increased supply expenditures. Councillor Gilmer explained that these funds would be used to purchase new meters and spare parts for the existing

meters. The Department of Transportation uses the revenue from the parking meters for resurfacing streets, curbs and sidewalks that are in parking meter locations. The Transportation Committee on June 19, 1985, recommended Proposal No. 360, 1985, Do Pass by a vote of 5-0. Councillor Gilmer moved, seconded by Councillor Journey for adoption. Proposal No. 360, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Campbell, Clark, Cottingham, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

3 NOT VOTING: Bradley, Coughenour, Page

Proposal No. 360, 1985, was retitled FISCAL ORDINANCE NO. 66, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 66, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Seven Thousand Five Hundred Dollars (\$7,500) in the Parking Meter Fund for purposes of the Department of Transportation, Parking Meter Division and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds for increased supply expenditures.

SECTION 2. The sum of Seven Thousand Five Hundred Dollars (\$7,500) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DEPARTMENT OF TRANSPORTATION

PARKING METER DIVISION

2. Supplies

TOTAL INCREASE

PARKING METER FUND

\$7,500

\$7,500

SECTION 4. The said increased appropriation is funded by the following reductions:

DEPARTMENT OF TRANSPORTATION

PARKING METER DIVISION

3. Other Services & Charges

TOTAL REDUCTION

PARKING METER FUND

\$7,500

\$7,500

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 361, 1985. This proposal establishes a loading zone on a portion of Massachusetts Avenue. Councillor Gilmer reported that this would be a 45-foot loading zone which was requested by the Acquisition Restoration Corp. This will be to provide curb space for employee short term visits to the office during the course of the day. The Transportation Committee on June 19, 1985, recommended Proposal No. 361, 1985, Do Pass by a vote of 4-1. Councillor Gilmer moved, seconded by Councillor Howard for adoption. Proposal No. 361, 1985, was adopted on the following roll call vote; viz:

22 AYES: Borst, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Holmes, Howard, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, West

6 NAYS: Boyd, Bradley, Clark, Hawkins, Journey, Shaw

1 NOT VOTING: Page

Proposal No. 361, 1985, was retitled GENERAL ORDINANCE NO. 44, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 44, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-331, Passenger and materials loading zones, be and the same is hereby amended by the addition of the following, to wit:

Massachusetts Avenue, on the south side, from a point 255 feet northeast of Vermont Street to a point 300 feet northeast of Vermont Street.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 367, 1985. This proposal instructs the County Commission of Public Records of Marion County to examine record storage and retrieval.

Councillor Coughenour stated that Proposal No. 367, requests that a study be done on our current record storage situation and requires that the City and County provide \$100,000 for a total of \$200,000 to begin working on this problem. These funds will begin to solve a long standing problem and will the needed storage space in the Records Division and allow the Records Division to store records which are now being stored within offices. The Committee did amend Proposal No. 367 by adding the words "the Clerk of the Circuit Court and the Records Division in cooperation with" before the phrase "County Commission of Public Records of Marion County". This amendment should keep everyone involved in this problem abreast of the situation. The Administration Committee on June 17, 1985, recommended Proposal No. 367, 1985, Do Pass As Amended, by a vote of 5-0. Councillor Coughenour moved, seconded by Councillor Curry for adoption. Proposal No. 367, 1985, as amended, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
1 NAY: *Howard*
2 NOT VOTING: *Journey, Page*

Proposal No. 367, 1985, as amended, was retitled COUNCIL RESOLUTION NO. 15, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 15, 1985

A COUNCIL RESOLUTION instructing the Clerk of the Circuit Court and the Records Division in cooperation with the County Commission of Public Records of Marion County to examine record storage and retrieval.

WHEREAS, record storage for local government has become a problem in many areas including physical space allowed and retrieveability; and

WHEREAS, record storage and retrieval is an integral function of both the City of Indianapolis and the County of Marion; and

WHEREAS, this has become a problem of such proportion the fiscal body of Indianapolis and Marion County recognizes the potential for possible special budgetary attention; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council of Indianapolis and Marion County, Indiana directs the Clerk of the Circuit Court and the Records Division in cooperation with the County Commission of Public Records of Marion County to conduct a thorough analysis of the current record storage and retrieval system including, but not limited to current and projected space allocation needs, current and projected record storage volume, current and projected retrieval volume, and current and projected microfilm conversion volume.

SECTION 2. The Clerk of the Circuit Court and the Records Division in cooperation with the County Commission of Public Records is requested to provide in its analysis a detailed plan to make current its microfilm conversion system and a solution for its storage and retrieval space allocation problem. Such plan shall also include a statement of the current and projected budgetary needs.

SECTION 3. The Council requests that the analysis and plan be submitted on or before August 1, 1985, to the City-County Council Administration Committee.

SECTION 4. The Marion County Auditor is hereby requested to increase the 1986 Budget for the Marion County Clerk of the Circuit Court in the amount of one hundred thousand dollars (\$100,000) which will be dedicated on a contractual agreement to the Records Division, Department of Administration. The Mayor and City Controller are also hereby requested to increase the Records Division, Department of Administration, 1986 Budget in the amount of one hundred thousand dollars (\$100,000). The increase totalling two hundred thousand dollars (\$200,000) shall be incorporated in the analysis and plan requested in SECTION 3, and shall be included in the Records Division, Department of Administration, 1986 Budget. If the County Auditor and/or City Controller cannot fund the increase from the County General Fund and Consolidated County Fund, the City-County Council hereby directs the dedication of the two hundred thousand dollars (\$200,000) from the increased income tax revenues for 1986.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL SERVICE DISTRICT COUNCILS

POLICE SPECIAL SERVICE DISTRICT COUNCIL

The President called the Police Special Service District Council to order at 8:35 p.m. Twenty-eight members being present, he announced a quorum.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 344, 1985. This is a proposal for a police special service district general ordinance amending the Code concerning the merit system for members of

the Indianapolis Police Department. Councillor Dowden requested that Proposal No. 344, 1985, be postponed in Council until the Council meeting of August 5, 1985. Consent was given.

There being no further business the Police Special Service District Council adjourned at 8:36 p.m.

President SerVaas reconvened the meeting of the City-County Council at 8:36 p.m.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business and upon motion duly made and seconded, the meeting adjourned at 8:36 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis, Police, Fire and Solid Waste Collection Special Service District Councils on the 24th day of June, 1985.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.


President


Clerk of the City-County Council

ATTEST:

(SEAL)

A

**MINUTES OF THE CITY-COUNTY COUNCIL
AND SPECIAL SERVICE DISTRICT COUNCILS
OF INDIANAPOLIS, MARION COUNTY, INDIANA**

REGULAR MEETINGS - MONDAY, JULY 22, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:14 p.m., on Monday, July 22, 1985, with Councillor SerVaas presiding.

The meeting was opened with a prayer and the Pledge of Allegiance to the Flag by Councillor Allen Durnil.

ROLL CALL

Councillor SerVaas instructed the Clerk to take the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

ABSENT: Curry

Twenty-eight members being present, he announced a quorum was present.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

**TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE,
FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT
COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,
INDIANA:**

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, July 22, 1985, at 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

s/Beurt SerVaas, President
City-County Council

July 1, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on July 5, 1985, a copy of LEGAL NOTICE of General Ordinance Nos. 35 and 37, 1985.

Respectfully,

s/Beverly S. Rippy
City Clerk

July 10, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on July 11, 1985, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 374, 1985, to be held on Monday July 22, 1985, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

June 26, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 53, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Two Thousand Five Hundred Ninety Dollars (\$2,590) in the County General Fund for purposes of the Lawrence, Pike and Wayne Township Assessors and reducing certain other appropriations for the Marion County Auditor.

FISCAL ORDINANCE NO. 54, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Three Thousand Dollars (\$3,000) in the County General Fund for purposes of the Lawrence Township Assessor and reducing certain other appropriations for the Warren Township Assessor.

FISCAL ORDINANCE NO. 55, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Fourteen Thousand Nine Hundred Dollars (\$14,900) in the County General Fund for purposes of the Marion County Clerk of the Circuit Court and County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 56, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Forty-one Thousand Six Hundred Dollars (\$41,600) in the County General Fund for purposes of the Marion County Superior Court, Roving Court Reporter and County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 57, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Thirty-six Thousand Eight Hundred Dollars (\$36,800) in the County General Fund for purposes of the Prosecutor's Child Support IV-D Agency and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 58, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Fifteen Thousand One Hundred Dollars (\$15,100) in the County General Fund for purposes of the Prosecutor's Child Support IV-D Agency and the County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 59, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Two Hundred Eight Thousand Five Hundred Three Dollars (\$208,503) in the State and Federal Grant Fund for purposes of the Marion County Community Corrections Advisory Board and the County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 60, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Forty-seven Thousand Six Hundred Ninety-six Dollars (\$47,696) in the State and Federal Grant Fund for purposes of the Presiding Judge of the Municipal Court and the County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 61, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional

Forty-seven Thousand Six Hundred Ninety-six Dollars (\$47,696) in the State and Federal Grant Fund for purposes of the Presiding Judge of the Municipal Court and the County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 61, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Forty-five Thousand Two Hundred Fifty-four Dollars (\$45,254) in the State and Federal Grant Fund for purposes of the Marion County Prosecuting Attorney and the County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 62, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twenty-four Thousand One Hundred Thirteen Dollars (\$24,113) in the County General Fund for purposes of the Marion County Prosecuting Attorney and the County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 63, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Two Million Five Hundred Fifty Thousand Dollars (\$2,550,000) in the Transportation General Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation General Fund.

FISCAL ORDINANCE NO. 65, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the Presiding Judge of the Municipal Court.

FISCAL ORDINANCE NO. 66, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Seven Thousand Five Hundred Dollars (\$7,500) in the Parking Meter Fund for purposes of the Department of Transportation, Parking Meter Division and reducing certain other appropriations for that division.

GENERAL ORDINANCE NO. 42, 1985, amending the "Code of Indianapolis and Marion County, Indiana", by adding a new Division 6 in Article X of Chapter 2.

GENERAL ORDINANCE NO. 43, 1985, amending Chapter 2, Article V, Division 1, of the "Code of Indianapolis and Marion County, Indiana", by adding a new Section 2-195 establishing the amount of the surety bonds for the Directors and the Executive Director of the Indianapolis Local Public Improvement Bond Bank.

GENERAL ORDINANCE NO. 44, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

SPECIAL ORDINANCE NO. 24, 1985, authorizing the issuance and sale of bonds of the County of Marion in the principal amount of Four Million

A

Nine Hundred Ninety-two Thousand Dollars (\$4,992,000) for the purpose of funding certain judgment obligations of the Marion County Department of Public Welfare.

SPECIAL RESOLUTION NO. 99, 1985, honoring three Allison Gas Turbine Pilots.

SPECIAL RESOLUTION NO. 100, 1985, honoring Caryn Sue Cockerill.

SPECIAL RESOLUTION NO. 101, 1985, honoring the Thirty-fifth Anniversary of the Indianapolis Baptist Temple.

Respectfully submitted,

s/William H. Hudnut, III

ADOPTION OF AGENDA

Consent was given for the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of July 22, 1985.

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections for the Journals of May 6, 1985 and May 20, 1985. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS --

PROPOSAL NO. 384, 1985. This proposal honors the Warren Central High School Girls Softball Team. Councillor Clark stated that the majority of the girls being honored by Proposal No. 384, are involved in summer softball teams and were unable to attend the meeting. He read the resolution and stated he would be sure that the girls receive their copies of this special resolution. Councillor Clark moved its adoption, seconded by Councillor Stewart. Proposal No. 384, 1985, was adopted by unanimous voice vote, retitled **SPECIAL RESOLUTION NO. 102, 1985**, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 102, 1985

A SPECIAL RESOLUTION honoring the Warren Central High School Girls Softball Team.

WHEREAS, the Warren Central High School Girls Softball Team has compiled an outstanding 24-3 record this season; and

WHEREAS, the Warren Central Warriors captured a 5-1 victory over their opponents Saturday, June 8th to win the State Championship; and

WHEREAS, the Warren Central Warriors High School Girls Softball Team won the first Indiana High School Athletic Association sanctioned Indiana High School Girls Softball State Tournament; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council both honors and congratulates Warren Central High School Softball State Championship Team Members Kristyn Abel, Julie Bennett, Tonya Eads, Jill Goode, Theresa Gramse, Brenda Hartman, Kim Hawley, Janie Herrick, Kathy Kirkman, Sheila Mahurin, Stephanie Meredith, Bobbie Morris, Cindy Payne, Debbie Rigdon, Lisa Sweany, Scorekeeper Jeanie Tyree, Coach Dave Stroud and Assistant Coach Roger Holder.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 439-441, 1985. Proposal No. 439, 1985, commends Brigadier General Gary Cooper, United States Marine Corps. Proposal No. 440, 1985, honors the Reverend Charles Williams. Proposal No. 441, 1985, welcomes the Montford Point Marine Association's Convention. Councillor Howard stated that these special resolutions are honoring various individuals and groups that assisted in making the Fifteenth Anniversary of the Black Expo a success. The special resolutions were presented at various ceremonies over the past weekend and Councillor Howard moved for adoption, seconded by Councillor Journey. Proposal Nos. 439-441, 1985, were adopted by unanimous voice vote, retitled Special Resolution Nos. 103-105, 1985, respectively and read as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 103, 1985

A SPECIAL RESOLUTION commending Brigadier General Gary Cooper, United States Marine Corps.

WHEREAS, Brigadier General Cooper is flying from his duty station to attend the 1985 Indiana Black Expo; and

WHEREAS, Brigadier General Gary Cooper is reviewing the United State's Marine Corps' Drum and Bugle Corp from Albany, Georgia at the Fifteenth Opening Ceremonies of the 1985 Indiana Black Expo; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis - Marion County City-County Council hereby honors Brigadier General Gary Cooper, United States Marine Corps for his contributions to our country's armed forces.

SECTION 2. The City-County Council further commends Brigadier General Cooper for his outstanding example as a role model for our youth.

SECTION 3. The City-County Council on behalf of the citizens of the City of Indianapolis and the County of Marion, the Indiana State Black Expo Executive Board Members, and a host of Black Expo volunteers and participants welcome Brigadier General Gary Cooper to the Fifteenth Anniversary Indiana Black Expo Celebration.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY SPECIAL RESOLUTION NO. 104, 1985

A SPECIAL RESOLUTION honoring the Reverend Charles Williams.

WHEREAS, the 1985 Indiana Black Expo Celebration is far and away the most outstanding event in Black Expo history; and

WHEREAS, on this July Nineteenth the Opening Ceremonies present unique opportunity to honor and commend those individuals without whose efforts this event would not take place; and

WHEREAS, the Indiana Black Expo has continued to grow in popularity and attendance over these past years under the dynamic leadership of the Reverend Charles Williams and his staff; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis - Marion County City-County Council raises to community attention with pride the outstanding success of Indiana Black Expo and the historical awareness of our Black Heritage which it brings to all citizens of our City and State.

SECTION 2. The Indianapolis - Marion County City-County Council further commends and honors the Reverend Charles Williams, his staff, and all citizens associated with the success of Indiana Black Expo on its fifteenth consecutive year.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY SPECIAL RESOLUTION NO. 105, 1985

A SPECIAL RESOLUTION welcoming the Montford Point Marine Association's Convention.

WHEREAS, Montford Point Marine Association (MPMA) is made up of the first black marines to train after segregation was abolished in the United States Marine Corps by President Franklin Delano Roosevelt; and

WHEREAS, the purpose of MPMA is to support and promote activities geared toward the social betterment of our communities and enlightenment of our citizenry through:

- * the active participation, support, and promotion of activities designed to make the lives of former members of the military and naval services, their wives, and their dependents free from poverty and adversity;
- * the sponsorship of scholarship funds for needy youths and informing ghetto youths of career opportunities;
- * the provision of legal services and counseling for our unknowledgeable veterans;
- * the uplifting of the morale of our disabled veterans;
- * unselfish assistance to Marine Corps and Naval recruiting terms; and
- * the creation of other compatible and uplifting programs; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis - Marion County City-County Council welcomes the Montford Point Marine Association's Convention to the City of Indianapolis.

SECTION 2. All the members of the Montford Point Marine Association are commended for their service to our citizens and the United States Marine Corps.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 418, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code to allow the regulation and licensing of limousine services"; and the President referred it to the Administration Committee.

PROPOSAL NO. 419, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$53,000 for the County Administrator for increased workmen's compensation claims"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 420, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,000 for the Pike Township Assessor to retain a temporary field deputy"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 421, 1985. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$10,000 for the Division of Economic and Housing Development for increased supply expenses"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 422, 1985. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the leasing of surplus property by the Parks Department"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 424, 1985. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$85,000 of Lilly Endowment Grant Funds for various divisions of the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 425, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$89.00 for Superior Court, Civil Division - Room 1 for personnel expenses"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 426, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$23,000 for the Criminal Justice Coordinating Agency for a Criminal Justice Data Integrator"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 427, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$80,000 for the Presiding Judge of the Municipal Court for public defenders and to reduce the vacancy factor"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 428, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$43,000 for the Marion County Sheriff for overtime costs, the replacement of merit officers with correction officers and to purchase a replacement polygraph unit"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 429, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$220,484 of various grant funds for the Marion County Prosecuting Attorney and the County Auditor"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 430, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$22,460 for the Marion County Prosecuting Attorney and the County Auditor to fund a Forensic Service Director"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 431, 1985. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION requesting a comprehensive and encompassing patrol schedule of "The Madison Avenue Strip"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 432, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing speed limit controls on a portion of Rand Road"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 433, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of 15th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 434, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Colby Boulevard and West 86th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 435, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE enlarging an existing loading zone on a portion of Maryland Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 436, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishes a loading zone on a portion of Ohio Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 437, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishes a loading zone on a portion of Market Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 438, 1985. Introduced by Councillors McGrath, Miller, Strader, Borst and Page. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION requesting an in-depth study by the Traffic Engineering Division, Department of Transportation on the recommendation to open South East Street to northbound, eastbound and westbound traffic"; and the President referred it to the Transportation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

[Clerk's Note: Councillor Schneider was unable to chair the Economic Development Committee meeting held on July 17, 1985. In his absence Councillor Clark chaired the meeting and gave the following committee report.]

PROPOSAL NO. 397, 1985. This is a proposal for a final bond ordinance authorizing the issuance of \$1,250,000 Economic Development Revenue Bonds for Haden Schweitzer Corporation. Councillor Clark reviewed the project as the purchase and renovation of a 72,000 square foot facility at 8301 East 33rd Street for the Company's manufacturing activities of process equipment for industrial paint finishing systems and various pollution control equipment. The bond financing contains the following documents: Loan Agreement, Mortgage and Security Agreement, First Mortgage Note, Series 1985, and Trust Indenture. The interest rate will be 75% of the prime rate of interest of the Comerica Bank of Detroit. The interest is payable monthly commencing September 1, 1985. Principal payments of \$10,417 commence September 1, 1985, with the final payment on September 1, 1995. The Economic Development Committee on July 17, 1985, recommended Proposal No. 397, 1985, Do Pass by a vote of 5-0. Councillor Clark moved, seconded by Councillor Rader for adoption. Proposal No. 397, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Giffin, Gilmer, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

NO NAYS

5 NOT VOTING: *Curry, Durnil, Hawkins, Rader, Strader*

Proposal No. 397, 1985, was retitled SPECIAL ORDINANCE NO. 25, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 25, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series 1985 (Haden Schweitzer Corporation Project" in the principal amount of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Haden Schweitzer Corporation and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on July 17, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Haden Schweitzer Corporation (the "Company") consisting of the acquisition, renovation, installation and equipping of an existing building containing approximately 72,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located at 8301 East 33rd Street, Indianapolis, Indiana on approximately 6 acres of land which will be used by Haden Schweitzer Corporation for administrative offices and the manufacturing of process equipment for industrial (paint) finishing systems, including spraybooths, ovens, electrocoat machines, washers, phosphate machines, pickling machines, degreasers and various pollution control equipment such as thermal and catalytic incinerators, scrubbers, and other pollution collection equipment (the "Project") which will be initially owned and operated by Haden Schweitzer Corporation complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note, Series 1985, Trust Indenture and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (Haden Schweitzer Corporation Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement, Mortgage and Security Agreement consisting of the acquisition, renovation, installation and equipping of an existing building containing approximately 72,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located at 8301 East 33rd Street, Indianapolis, Indiana on approximately 6 acres of land which will be used by Haden Schweitzer Corporation for administrative offices and the manufacturing of process equipment for industrial (paint) finishing systems, including spraybooths, ovens, electrocoat machines, washers, phosphate machines, pickling machines, degreasers and various pollution control equipment such as thermal and catalytic incinerators, scrubbers, and other pollution collection equipment previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Haden Schweitzer Corporation for the purposes of financing the economic development facilities being acquired, renovated, installed and equipped or to be acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Haden Schweitzer Corporation will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note, Series 1985, Trust Indenture and the form of the City of Indianapolis Economic Development Revenue Bond, Series 1985 (Haden Schweitzer Corporation Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note, Series 1985, Trust Indenture and the form of the City of Indianapolis Economic Development Revenue Bond, Series 1985 (Haden Schweitzer Corporation Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bond, Series 1985 (Haden Schweitzer Corporation Project) in the principal amount of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) for the purpose of procuring funds to loan to Haden Schweitzer Corporation in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Haden Schweitzer Corporation on its First Mortgage Note, Series 1985, in the principal amount of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000), which will be executed and delivered by Haden Schweitzer Corporation to evidence and secure said loan, and as otherwise provided in the above described Trust Indenture and Loan Agreement, Mortgage and Security Agreement. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bond to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate or rates of interest as set forth in the Trust Indenture and the Bond, except that the interest rate shall in no event exceed 30% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (Haden Schweitzer Corporation Project), and the Endorsement to the First Mortgage Note, Series 1985 approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Trust Indenture, Loan Agreement, Mortgage and Security Agreement, the Endorsement to First Mortgage Note, Series 1985 and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in the First Mortgage Note, Series 1985 without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bond, Series 1985 (Haden Schweitzer Corporation Project) and

after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 398, 1985. This is a proposal for a final bond ordinance authorizing the issuance of \$875,000 Economic Development Revenue Bonds for Horace Mann, an Indiana Limited Partnership. Councillor Clark explained that the project is the acquisition and renovation of the former I.P.S. School Number 13 for use as multi-family residential rental units. The bond financing contains the following documents: Loan Agreement, Mortgage and Security Agreement, Trust Indenture with Indiana National Bank, and First Mortgage Note, Series 1985. The interest rate will be 75% of the prime rate of interest of I.N.B. The interest is payable monthly with payments commencing August 1, 1985. Principal payments of \$7,576 per month begin August 1, 1986, to June 1, 1996, with the final payment on July 1, 1996. The Economic Development Committee on July 17, 1985, recommended Proposal No. 398, 1985, Do Pass by a vote of 6-0. Councillor Clark moved, seconded by Councillor Gilmer for adoption. Proposal No. 398, 1985, was adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

1 NOT VOTING: *Curry*

Proposal No. 398, 1985, was retitled SPECIAL ORDINANCE NO. 26, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 26, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partnership Project) in the aggregate principal amount of Eight Hundred Seventy-five Thousand Dollars (\$875,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Horace Mann, an Indiana Limited Partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on July 17, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Horace Mann, an Indiana Limited Partnership (the "Company") consisting of the acquisition, renovation, installation and equipping of the vacant former IPS School Number 13 building which will contain approximately 21,400 net leasable square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 714 Buchanan Street Indianapolis, Indiana, on approximately 0.89 acres of land which will be used as multi-family residential rental housing containing approximately 21 units (the "Project") which will be initially owned and operated by Horace Mann, an Indiana Limited Partnership complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, First Mortgage Note, Series 1985 and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partnership Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement, Mortgage and Security Agreement consisting of the acquisition, renovation, installation and equipping of the vacant former IPS School Number 13 building which will contain approximately 21,400 net leasable square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 714 Buchanan Street, Indianapolis, Indiana on approximately 0.89 acres of land which will be used as multi-family residential rental housing containing approximately 21 units previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Horace Mann, an Indiana Limited Partnership for the purposes of financing the economic development facilities being acquired, renovated, installed and equipped or to be acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Horace Mann, an Indiana Limited Partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, First Mortgage Note, Series 1985 and the form of the City of Indianapolis Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partnership Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and

Security Agreement, Trust Indenture, First Mortgage Note, Series 1985 and the form of the City of Indianapolis Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partnership Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partnership Project) in the aggregate principal amount of Eight Hundred Seventy-five Thousand Dollars (\$875,000) for the purpose of procuring funds to loan to Horace Mann, an Indiana Limited Partnership in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Horace Mann, an Indiana Limited Partnership on its First Mortgage Note, Series 1985 in the aggregate principal amount of Eight Hundred Seventy-five Thousand Dollars (\$875,000), which will be executed and delivered by Horace Mann, an Indiana Limited Partnership to evidence and secure said loan, and as otherwise provided in the above described Loan Agreement, Mortgage and Security Agreement and Trust Indenture. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest equal to seventy-five percent (75%) of the prime rate announced by The Indiana National Bank, Indianapolis, Indiana, at its principal office from time to time (the "Bond Interest Rate"), except that (i) the interest rate thereon shall in no event exceed 30% per annum, (ii) in the event of a Determination of Taxability (as defined in the Loan Agreement, Mortgage and Security Agreement) the Bonds shall bear interest at the Taxable Rate (as defined in the Loan Agreement, Mortgage and Security Agreement) and (iii) under certain circumstances the Bonds shall bear interest at the Adjusted Tax Exempt Rate (as defined in the Loan Agreement, Mortgage and Security Agreement).

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partnership Project), and the Endorsement to the First Mortgage Note, Series 1985 approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture and the Endorsement to First Mortgage Note, Series 1985 and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the First Mortgage Note, Series 1985 without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partner-

ship Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 399, 1985. This is a proposal for a final bond ordinance authorizing the issuance of \$700,000 Economic Development Revenue Bonds for Tuchman Cleaners, Inc. The project is to renovate 20,000 square foot of the Company's existing building located at 4401 North Keystone which will operate as a dry cleaning plant and uniform rental operation. The bond financing contains the following documents: Trust Indenture, Loan Agreement, and Assignment of Loan Agreement. Councillor Clark stated that the interest rate will be 72% of the prime rate of interest of the purchaser. Payment on the interest commences November 1, 1985, and is payable quarterly on the first day of February, May, August, and November to and including August 1, 1995. The principal is payable in twenty equal semi-annual installments of \$35,000 on February 1, and August 1, beginning February 1, 1986, to and including August 1, 1995. The Economic Development Committee on July 17, 1985, recommended Proposal No. 399, 1985, Do Pass by a vote of 6-0. Councillor Clark moved, seconded by Councillor Rader for adoption. Proposal No. 399, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Curry, Hawkins

Proposal No. 399, 1985, was retitled SPECIAL ORDINANCE NO. 27, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 27, 1985

A SPECIAL ORDINANCE authorizing the issuance and sale to The First National Bank of Cincinnati of \$700,000 Economic Development Revenue Bonds of the City of Indianapolis, Indiana, pursuant to a Trust Indenture; authorizing the City to loan the proceeds from the sale of said Project Bonds to Tuchman Cleaners, Inc. to assist said Company in financing a commercial project; and authorizing a Loan Agreement

and Assignment of Loan Agreement defining the terms and conditions of said loan and providing for revenues to said City sufficient to pay principal of, premium, if any, and interest on said Project Bonds.

WHEREAS, the Indianapolis Economic Development Commission has been duly created by the City of Indianapolis, Indiana (the "Issuer"), and the members of the Commission have been duly appointed and qualified pursuant to law; and

WHEREAS, the Indianapolis Economic Development Commission has prepared and filed with the Metropolitan Development Commission of Marion County, Indiana its report entitled "Report of the Indianapolis Economic Development Commission Concerning the Proposed Financing of Economic Development Facilities for Tuchman Cleaners, Inc.", and the Metropolitan Development Commission of Marion County, Indiana has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on July 17, 1985, adopted a Resolution on the same date, two copies of which Resolution have been transmitted to this City-County Council, finding that the financing of certain economic development facilities of Tuchman Cleaners, Inc. complies with the purpose and provisions of Title 36, Article 7, Chapter 12 of the Indiana Code of 1971, as supplemented and amended (the "Act"), and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has heretofore approved and recommended to the City-County Council that it adopt this form of Ordinance and has approved the forms of and has transmitted for approval by this City-County Council the Loan Agreement (the "Agreement") between the Issuer and the Company, the Trust Indenture (the "Trust Indenture") between the Issuer and The Second National Bank of Richmond, as trustee, and The First National Bank of Cincinnati, Cincinnati, Ohio, as co-trustee, (together the "Trustee") and the Assignment of Loan Agreement from the Issuer to the Trustee (the "Assignment") and the Project Bonds (as hereinafter defined), two (2) copies of each of which are on file in the Office of the Clerk of the City-County Council for public inspection; and

WHEREAS, the Issuer wishes to issue its \$700,000 Economic Development Revenue Bond (Tuchman Cleaners, Inc. Project) (hereinafter called the "Project Bonds") and to loan the proceeds from the sale of the Project Bonds to the Company pursuant to the terms of the Agreement to be used by the Company to make certain improvements to and renovations of an existing dry cleaning and uniform rental facility located in the City of Indianapolis, Indiana, (the "Project") for use by the Company; and

WHEREAS, the issuance and sale of the Project Bonds and the loan of the proceeds from the sale of the Project Bonds to the Company will induce the Company to locate the Project within the boundaries of the Issuer and thereby will increase and maintain employment opportunities within the boundaries of the Issuer, the County of Marion and the State of Indiana (the "State") and will improve the economic welfare of the people residing within the boundaries of the Issuer, the County of Marion and the State; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Definitions. In addition to the words and terms elsewhere defined in this Special Ordinance, all initially capitalized terms and words used herein shall

have the same meaning as in the Agreement and the Trust Indenture relating to the Project Bonds authorized by this Special Ordinance, unless the context or use clearly indicates another or different meaning or intent.

SECTION 2. Determinations of Issuer. The Issuer hereby determines that the Project is an "economic development facility" as that term is defined in the Act, is consistent with the purposes of the Act and will benefit the people of the Issuer by creating or preserving jobs and employment opportunities and promoting the economic development of the Issuer.

SECTION 3. Authorization and Terms of Bonds. It is hereby determined to be necessary to, and the Issuer shall issue, sell and deliver, as provided and authorized herein and pursuant to the authority of the Act, the Project Bonds in an aggregate amount of \$700,000 for the purpose of making a loan to assist the Company in the financing of costs of renovating, improving and equipping an existing dry cleaning and uniform rental facility constituting the Project, including costs incidental thereto and to the financing thereof. The Project Bonds shall be issued in the form and denomination and shall be executed dated, be subject to mandatory or optional redemption on the dates and at the prices, mature, bear interest at the rate or rates and be payable on the dates as provided in the Trust Indenture and Agreement hereinafter authorized and attached hereto as Exhibits A and B, respectively; provided that in any event the interest rate on the Project Bonds will not exceed fifteen percent.

SECTION 4. Payment of Project Bonds. The Project Bonds shall be payable at the corporate trust office of the Trustee named as Trustee under the Trust Indenture herein authorized, or any successor Trustee. The Trustee under the Trust Indenture shall be designated by the Company unless and until a successor trustee is appointed in the manner provided in such Trust Indenture.

SECTION 5. Bonds Not Debt of Issuer. Each of the Project Bonds authorized hereby shall bear on its face a statement to the effect that the Project Bonds are not general obligations, debt or bonded indebtedness of the Issuer or of the State or of any political subdivision thereof, and the holders or owners of the Project Bonds are not given the right, and have no right, to have excises or taxes levied by the Issuer or by the State or by any political subdivision thereof, for the payment of the principal of, premium, if any, and interest on such Project Bonds and that the right to such payment is limited to the revenues and special funds pledged for such purpose under the Trust Indenture herein authorized.

SECTION 6. Project Fund. There is hereby created by the Issuer and ordered maintained as a separate deposit account (except when invested as hereinafter provided) in the custody of the Trustee, a trust fund to be designated "City of Indianapolis - Tuchman Cleaners, Inc. Project Fund" (the "Project Fund"). The proceeds of the Project Bonds shall be deposited in the Project Fund as the Loan to the Company provided for in the Agreement. Moneys in the Project Fund shall be disbursed by the Trustee in accordance with the provisions of the Agreement, and the Trustee is hereby authorized and directed to issue its check for each disbursement required by the provisions of the Agreement.

The moneys to the credit of the Project Fund shall, pending application thereof as above set forth, be subject to a lien and charge in favor of the Trustee as Trustee for the Bondholders.

SECTION 7. Bond Fund. As provided in the Agreement, payments sufficient in time and amount to pay the Bond service charges as they come due, are to be paid by the Company directly to the Trustee for the account of the Issuer and deposited in the

Bond Fund. Under the provisions of the Agreement, payments with respect to the Note shall be deposited into the Bonds Fund for the account of the Issuer and shall constitute Loan Payments.

There is hereby created and ordered maintained, as a separate deposit account (except when invested as hereinafter provided) in the custody of the Trustee, a trust fund to be designated "City of Indianapolis - Tuchman Cleaners, Inc. Revenue Bond Fund" (the "Bond Fund"). The Bond Fund (and accounts therein, if any, provided for in the Indenture or in the Agreement) and the moneys and investments therein are hereby pledged to and shall be used solely and exclusively for the payment of Bond service charges as they fall due at stated maturity or by redemption, all as provided herein and in the Trust Indenture and the Agreement, provided that no part thereof (except as may otherwise be provided for herein and in the Trust Indenture or the Agreement) shall be used to redeem, prior to maturity, any Project Bonds.

There shall be deposited into the Bond Fund (and credited, if required by the Trust Indenture or the Agreement to appropriate accounts therein, if any), as and when received, (a) all Loan Payments and (b) all other Pledged Receipts, except those amounts required by the Trust Indenture or the Agreement to be deposited in the Project Fund or the Excess Investment Earnings Fund, or to pay other amounts required under the Agreement or the Trust Indenture.

SECTION 8. Excess Investment Earnings Fund. There is hereby created by the Issuer and ordered maintained in the custody of the Trustee, a special trust account to be designated "City of Indianapolis - Tuchman Cleaners, Inc. Excess Investment Earnings Fund" (hereinafter referred to as the "Excess Investment Earnings Fund"), to be held by the Trustee. The Company has covenanted and agreed in the Agreement that it will (a) prepare and file with the Trustee and the Issuer a report setting forth the "Rebate Amount" determined in accordance with Section 5.12 of the Agreement, and (b) deposit or cause to be deposited into the Excess Investment Earnings Fund, or in the Principal Subaccount or Income Subaccount thereof, as appropriate, any and all Rebate Amounts promptly following a determination of any such Rebate Amount.

The Trustee, as Bond Fund and Project Fund custodian, has covenanted and agreed that it will, on or before each anniversary of the date of issuance of the Project Bonds, prepare and file with the Issuer and the Company a report with respect to the Bond Fund and Project Fund setting forth the total amounts invested during the preceding bond year, the investments made with the moneys in the Bond Fund and Project Fund and the investment earnings (and losses) resulting from the investments in each such Fund, respectively, together with such additional information concerning such Funds and the investments therein, respectively, as the Issuer or the Company shall reasonably request.

The Trustee has agreed that it will, to the extent practicable, keep all moneys in the Excess Investment Earnings Fund fully invested in Eligible Investments (as defined in the Trust Indenture) and it will disburse all moneys in the Excess Investment Earnings Fund to the United States at the times and in the manner set forth in Section 5.12 of the Agreement.

Moneys in the Excess Investment Earnings Fund, including investment earnings thereon, if any, shall not be subject to the pledge of the Trust Indenture and shall not constitute part of the Pledged Receipts held for the benefit of the holders of the Project Bonds.

SECTION 9. Additional Bonds. At the request of the Company and with the written consent of the Original Purchaser, if the Company is not then in default under the Agreement, the Issuer, to the extent permitted by law (including the Act) then in effect and for purposes consistent with the Act, shall use its best efforts to issue Additional Bonds from time to time to provide loans to the Company for: (i) completion of the Project, including additional costs incurred in providing the Project, or (ii) the acquisition for the Project of additional real estate or interests therein, or repairs to the Project of a major nature arising from casualty or unanticipated conditions, or (iii) the acquisition, construction and installation of additional economic development facilities to be used in connection with the Project and to be located on the site of the Project, or to be used in connection with other facilities located within the boundaries of the Issuer which are owned in whole or in part by the Company, or any combination thereof, or (iv) refunding the Bond or any one or more series of Additional Bonds, or (v) any combination of the foregoing; provided, that the proceeds of any Additional Bonds shall, except to the extent issued for the purpose described in clause (iv), be used solely to pay permissible costs under the Act. Such Additional Bonds shall be on a parity with the Project Bond and any Additional Bonds theretofore or thereafter issued. Before any Additional Bonds are authenticated there shall be delivered to the Trustee the items required by Section 2.08 of the Trust Indenture and (a) any necessary amendment of the Agreement to provide for increased Loan Payments so that the aggregate of the Loan Payments thereafter payable under the Agreement shall be sufficient in amount to make all required payments into the Bond Fund in order to pay when due Bond service charges on all Bonds then outstanding, and for all Additional Payments by the Company under the provisions of the Agreement, and (b) either the opinion of nationally recognized bond counsel or a ruling of the Internal Revenue Service of the United States Department of Treasury that the issuance of such series of Additional Bonds will not adversely affect the exemption from Federal income taxation of the interest paid or payable on any outstanding Bonds.

SECTION 10. Execution and Delivery of Trust Indenture. The Mayor and Clerk of the Issuer are each hereby authorized and directed to execute on behalf of the Issuer a Trust Indenture with the Trustee substantially in the form presented to the Issuer and on file with the Clerk. The Pledged Receipts shall be pledged for the payment of the Project Bonds, and all other agreement, covenants and promises therein made on behalf of the Issuer shall be conclusively binding upon the Issuer and in full force and effect from and after delivery of the Project Bonds to their purchaser or purchasers pursuant to the terms of said Trust Indenture.

SECTION 11. Execution and Delivery of Loan Agreement and Assignment. The Mayor and Clerk of the Issuer are each hereby further authorized and directed to execute and deliver on behalf of the Issuer a Loan Agreement with the Company and an Assignment of Loan Agreement with the Trustee, both substantially in the forms presented to the Issuer and on file with the Clerk, and the agreements, covenants and promises therein made on behalf of the Issuer shall be conclusively binding on the Issuer and in full force and effect from and after delivery of the Project Bonds to their purchaser or purchasers.

SECTION 12. Execution and Delivery of Other Instruments. The Mayor, or the Clerk, or such other appropriate officer as may heretofore or hereafter be designated by the Issuer are each hereby authorized and directed to execute (either singly or in any combination) and deliver on behalf of the Issuer such other documents and certificates and to do all such acts and things required of them by the provisions of the Project Bonds, the Agreement and the Trust Indenture, to the end that full and

complete performance of all of the terms, covenants and agreements of the Project Bonds and of the Agreement and the Trust Indenture, shall be effected. In the event of the absence or disability of any officer or employee of the Issuer authorized to execute any instrument, such instrument may be executed, with the same effect, by any other officer of the Issuer.

SECTION 13. Modifications. The Agreement and the Trust Indenture authorized by this Special Ordinance shall be subject to such changes, insertions and omissions as are not adverse to the Issuer and have been approved by counsel to the Issuer, and approval of any changes, insertions and omissions shall be conclusively evidenced by the execution of said documents by an authorized officer of the Issuer.

SECTION 14. Arbitrage Covenant. The Issuer hereby covenants that it will restrict the use of the proceeds of the Project Bonds hereby authorized in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute "arbitrage bonds" under Section 103(c) of the Internal Revenue Code and the regulations prescribed thereunder. The Mayor or any other officer having responsibility with respect to the issuance of the Project Bonds is authorized and directed to give an appropriate certificate on behalf of the Issuer, on the date of delivery of the Project Bonds, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Section 103(c) and regulations thereunder.

SECTION 15. Compliance with Indiana Open Meeting Law. It is hereby found and determined that all formal actions by the City-County Council of the Issuer concerning and relating to the passage of this Special Ordinance were taken in an open meeting, and that all deliberations of the City-County Council of the Issuer that resulted in such formal action, were taken in meetings or hearings open to the public, in full compliance with applicable legal requirements.

SECTION 16. Effective Date; Repeal of Conflicting Ordinances. Additional readings having been waived as provided by law, this Special Ordinance shall take effect and be in full force and after compliance with procedures required by Indiana Code 36-3-4-14 and all ordinances inconsistent herewith are hereby repealed to the extent of any such inconsistency.

PROPOSAL NO. 400-402, 1985. PROPOSAL NO. 400, 1985, is a final bond ordinance authorizing the issuance of a maximum aggregate principal amount of \$10,000,000 Residential Facilities Revenue Bonds (1985 Series A) for Independent Living Centers of Indianapolis. This project is the construction of a continuing care retirement complex containing approximately 160 one bedroom and two bedroom multi-family residential rental units to be located on parcel 1 of the County Line Mall Complex (northeast quadrant of the intersection of U.S. 31 South and County Line Road). PROPOSAL NO. 401, 1985, is a final bond ordinance authorizing the issuance of a maximum aggregate principal amount of \$15,000,000 Residential Facilities Revenue Bonds (1985 Series B) for Independent Living Centers of Indianapolis. This project is the construction of a continuing care retirement complex containing approximately 235 one bedroom

and two bedroom multi-family residential rental units to be located on the southwest portion of 1700 West 86th Street. PROPOSAL NO. 402, 1985, is a final bond ordinance authorizing the issuance of a maximum aggregate principal amount of \$10,000,000 Residential Facilities Revenue Bonds (1985 Series C) for Independent Living Centers of Indianapolis. This project is the construction of a continuing care retirement complex containing approximately 113 one bedroom and two bedroom multi-family residential rental units to be located at 2035 North Meridian Street. All three facilities are located near hospitals. Market studies regarding Marion County and this type of housing have shown that a monthly rental rate of \$550 is "affordable" to 16,000 elderly households. However, a \$800 monthly rental rate is "affordable" to only about 8,000 elderly households. It was stressed that most monthly rental rates for other projects for elderly housing are in the higher monthly rental range of approximately \$800. In order to provide for a larger "target market", the monthly rental rates for all three projects involving Independent Living Centers will be based closer to the \$550 range. The bond financing contains the following documents: Trust Indenture with American Fletcher National Bank, Bond Purchase Agreement and Loan Agreement. The bonds are being purchased by Matthews & Wright, Inc. of New York City. The interest rate is less than or equal to 10% and is payable January 15, 1986, and each June and July 15th thereafter until maturity. The principal is payable on each July 15th commencing July 15, 1989, with a final maturity on July 15, 2015. The Economic Development Committee on July 17, 1985, recommended Proposal Nos. 400-402, 1985, Do Pass by a vote of 6-0. Councillor Clark moved, seconded by Councillor Howard for adoption. Proposal No. 400, 1985, was adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

1 NOT VOTING: *Curry*

Proposal No. 400, 1985, was retitled SPECIAL ORDINANCE NO. 28, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 28, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Residential Facilities Revenue Bonds, 1985 Series A (Country Place South Project)" in the maximum aggregate principal amount of Ten Million Dollars (\$10,000,000) and authorizing other actions in respect thereto.

WHEREAS, Independent Living Centers of Indianapolis, a limited partnership (the "Company") has heretofore requested the Indianapolis Economic Development Commission and the City of Indianapolis, Indiana (the "City") to finance the acquisition, construction, installation and equipping of a continuing care retirement complex containing approximately 160 one bedroom and two bedroom multi-family residential rental units, to be located on parcel 1 of the County Line Mall Complex located at the northeast quadrant of the intersection of U.S. 31 South and County Line Road in Indianapolis, Marion County, Indiana on approximately 6.8 acres of land (the "Project") to be operated by the Company; and

WHEREAS, the City has determined to issue and sell revenue bonds to be designated "City of Indianapolis, Indiana, Residential Facilities Revenue Bonds 1985 Series A" (the "Bonds") issued under and pursuant to a Trust Indenture, (the "Indenture"), between the City and a trustee (the "Trustee") and a Bond Purchase Agreement (the "Agreement"), in an aggregate principal amount not to exceed \$10,000,000 bearing interest rates, and having a maturity or maturities and such redemption features and other provisions as shall be set forth in the Indenture; and

WHEREAS, the Bonds will be secured by the Indenture, pursuant to the terms of which, all right, title and interest of the City in the Indenture will be assigned and pledged to the Trustee for the security of the Bonds; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the issuance and sale of the Bonds under I.C. 36-7-12 (the "Act") for the acquisition, construction, installation and equipping of the Project and the loaning of the proceeds of the Bonds to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 2. That the Mayor and Clerk are hereby authorized to execute and deliver in the name of and on behalf of the City and under its corporate seal or otherwise, the Indenture with American Fletcher National Bank and Trust Company, as trustee, and the Agreement between the City and Matthews & Wright, Inc., official statement, and such other instruments and documents as the Mayor and Clerk may deem necessary or appropriate, providing for the acquisition, construction and financing of the Project and the issuance and sale of the Bonds. The Mayor and Clerk may approve changes therein without further approval of the City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1)-(a)(11).

SECTION 3. The City shall issue the Bonds in an aggregate principal amount not to exceed \$10,000,000 to finance the cost of the Project, with the Bonds to bear interest at such rates per annum (at a rate not to exceed 10% to July 15, 1988, and thereafter as provided in the Indenture and the Agreement; provided, however, such rates per annum shall not exceed 30%), to have such maturities (not to exceed 30 years), to have such provisions for mandatory or optional redemption with or without premium, and such other terms and provisions, as set forth in and to be issued under the Indenture and shall be approved by the Mayor and Clerk, with such approval to be conclusively

evidenced by the manual or facsimile execution thereof by the Mayor and Clerk.

SECTION 4. The Mayor and Clerk are authorized to execute the Bonds or cause the Bonds to be imprinted with a facsimile of the signature of each in the manner provided in the Indenture and the Clerk is hereby authorized and directed to cause to be affixed to or imprinted upon the Bonds the corporate seal of the City or a facsimile thereof (which facsimile the City adopts as its seal for such purpose).

SECTION 5. The Mayor and the Clerk are hereby authorized and directed, in the name of and on behalf of the City, to execute coupons attached to the Bonds or to cause to be imprinted with the facsimile signature of each in the manner provided in the Indenture and upon the satisfaction of all conditions precedent contained in the Agreement.

SECTION 6. The Mayor is hereby authorized, in the name of and on behalf of the City to deliver the Bonds to the Trustee with a request that the Bonds be authenticated by the Trustee and delivered to Matthews & Wright, Inc. in accordance with the Indenture and the Agreement.

SECTION 7. The proper officers of the City, including without limitation the Mayor and Clerk are hereby authorized to execute, deliver and file all such documents, and to enter into all such agreements, and to take all such other actions as may be required or which they deem appropriate to carry out and consummate the transaction as contemplated by the Agreement, the Bonds and the Indenture, and otherwise to effectuate the purposes of these resolutions, and the previous resolutions of the City relating to the Project.

SECTION 8. The Bonds do not constitute a pledge of the general credit or taxing power of the City. All payments of principal, premium, if any, and interest on the Bonds shall be limited to the pledge of revenues under the Indenture.

SECTION 9. Two copies of the Indenture, Agreement, Preliminary Official Statement, Loan Agreement and form of the Bonds are on file in the Office of the Clerk for public inspection.

SECTION 10. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 401, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Giffin, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

3 NOT VOTING: *Curry, Durnil, Gilmer*

Proposal No. 401, 1985, was retitled SPECIAL ORDINANCE NO. 29, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 29, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Residential Facilities Revenue Bonds, 1985 Series B (Country Place North Project)" in the maximum aggregate principal amount of Fifteen Million Dollars (\$15,000,000) and authorizing other actions in respect thereto.

WHEREAS, Independent Living Centers of Indianapolis, a limited partnership (the "Company") has heretofore requested the Indianapolis Economic Development Commission and the City of Indianapolis, Indiana (the "City") to finance the acquisition, construction, installation and equipping of a continuing care retirement complex containing approximately 235 one bedroom and two bedroom multi-family residential rental units, to be located on the southwest portion of 1700 West 86th Street in Indianapolis, Marion County, Indiana on approximately 7.5 acres of land (the "Project") to be operated by the Company; and

WHEREAS, the City has determined to issue and sell revenue bonds to be designated "City of Indianapolis, Indiana, Residential Facilities Revenue Bonds 1985 Series B" (the "Bonds") issued under and pursuant to a Trust Indenture, (the "Indenture"), between the City and a trustee (the "Trustee") and a Bond Purchase Agreement (the "Agreement"), in an aggregate principal amount not to exceed \$15,000,000 bearing interest rates, and having a maturity or maturities and such redemption features and other provisions as shall be set forth in the Indenture; and

WHEREAS, the Bonds will be secured by the Indenture, pursuant to the terms of which, all right, title and interest of the City in the Indenture will be assigned and pledged to the Trustee for the security of the Bonds; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the issuance and sale of the Bonds under I.C. 36-7-12 (the "Act") for the acquisition, construction, installation and equipping of the Project and the loaning of the proceeds of the Bonds to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 2. That the Mayor and Clerk are hereby authorized to execute and deliver in the name of and on behalf of the City and under its corporate seal or otherwise, the Indenture with American Fletcher National Bank and Trust Company, as trustee, and the Agreement between the City and Matthews & Wright, Inc., official statement, and such other instruments and documents as the Mayor and Clerk may deem necessary or appropriate, providing for the acquisition, construction and financing of the Project and the issuance and sale of the Bonds. The Mayor and Clerk may approve changes therein without further approval of the City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1)-(a)(11).

SECTION 3. The City shall issue the Bonds in an aggregate principal amount not to exceed \$15,000,000 to finance the cost of the Project, with the Bonds to bear interest at such rates per annum (at a rate not to exceed 10% to July 15, 1988, and thereafter as provided in the Indenture and the Agreement; provided, however, such rates per annum shall not exceed 30%), to have such maturities (not to exceed 30 years), to have such provisions for mandatory or optional redemption with or without premium, and such other terms and provisions, as set forth in and to be issued under the Indenture

and shall be approved by the Mayor and Clerk, with such approval to be conclusively evidenced by the manual or facsimile execution thereof by the Mayor and Clerk.

SECTION 4. The Mayor and Clerk are authorized to execute the Bonds or cause the Bonds to be imprinted with a facsimile of the signature of each in the manner provided in the Indenture and the Clerk is hereby authorized and directed to cause to be affixed to or imprinted upon the Bonds the corporate seal of the City or a facsimile thereof (which facsimile the City adopts as its seal for such purpose).

SECTION 5. The Mayor and the Clerk are hereby authorized and directed, in the name of and on behalf of the City, to execute coupons attached to the Bonds or to cause to be imprinted with the facsimile signature of each in the manner provided in the Indenture and upon the satisfaction of all conditions precedent contained in the Agreement.

SECTION 6. The Mayor is hereby authorized, in the name of and on behalf of the City to deliver the Bonds to the Trustee with a request that the Bonds be authenticated by the Trustee and delivered to Matthews & Wright, Inc. in accordance with the Indenture and the Agreement.

SECTION 7. The proper officers of the City, including without limitation the Mayor and Clerk are hereby authorized to execute, deliver and file all such documents, and to enter into all such agreements, and to take all such other actions as may be required or which they deem appropriate to carry out and consummate the transaction as contemplated by the Agreement, the Bonds and the Indenture, and otherwise to effectuate the purposes of these resolutions, and the previous resolutions of the City relating to the Project.

SECTION 8. The Bonds do not constitute a pledge of the general credit or taxing power of the City. All payments of principal, premium, if any, and interest on the Bonds shall be limited to the pledge of revenues under the Indenture.

SECTION 9. Two copies of the Indenture, Agreement, Preliminary Official Statement, Loan Agreement and form of the Bonds are on file in the Office of the Clerk for public inspection.

SECTION 10. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 402, 1985, was adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

1 NOT VOTING: *Curry*

Proposal No. 402, 1985, was retitled SPECIAL ORDINANCE NO. 30, 1985, and

reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 30, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Residential Facilities Revenue Bonds, 1985 Series C (Meridian Tower Project)" in the maximum aggregate principal amount of Ten Million Dollars (\$10,000,000) and authorizing other actions in respect thereto.

WHEREAS, Independent Living Centers of Indianapolis, a limited partnership (the "Company") has heretofore requested the Indianapolis Economic Development Commission and the City of Indianapolis, Indiana (the "City") to finance the acquisition, construction, installation and equipping of a continuing care retirement complex containing approximately 113 one bedroom and two bedroom multi-family residential rental units, to be located at 2035 North Meridian Street in Indianapolis, Marion County, Indiana on approximately 1.1 acres of land (the "Project") to be operated by the Company; and

WHEREAS, the City has determined to issue and sell revenue bonds to be designated "City of Indianapolis, Indiana, Residential Facilities Revenue Bonds 1985 Series C" (the "Bonds") issued under and pursuant to a Trust Indenture, (the "Indenture"), between the City and a trustee (the "Trustee") and a Bond Purchase Agreement (the "Agreement"), in an aggregate principal amount not to exceed \$10,000,000 bearing interest rates, and having a maturity or maturities and such redemption features and other provisions as shall be set forth in the Indenture; and

WHEREAS, the Bonds will be secured by the Indenture, pursuant to the terms of which, all right, title and interest of the City in the Indenture will be assigned and pledged to the Trustee for the security of the Bonds; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the issuance and sale of the Bonds under I.C. 36-7-12 (the "Act") for the acquisition, construction, installation and equipping of the Project and the loaning of the proceeds of the Bonds to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 2. That the Mayor and Clerk are hereby authorized to execute and deliver in the name of and on behalf of the City and under its corporate seal or otherwise, the Indenture with American Fletcher National Bank and Trust Company, as trustee, and the Agreement between the City and Matthews & Wright, Inc., official statement, and such other instruments and documents as the Mayor and Clerk may deem necessary or appropriate, providing for the acquisition, construction and financing of the Project and the issuance and sale of the Bonds. The Mayor and Clerk may approve changes therein without further approval of the City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1)--(a)(11).

SECTION 3. The City shall issue the Bonds in an aggregate principal amount not to exceed \$10,000,000 to finance the cost of the Project, with the Bonds to bear interest at such rates per annum (at a rate not to exceed 10% to July 15, 1988, and thereafter as provided in the Indenture and the Agreement; provided, however, such rates per

annum shall not exceed 30%), to have such maturities (not to exceed 30 years), to have such provisions for mandatory or optional redemption with or without premium, and such other terms and provisions, as set forth in and to be issued under the Indenture and shall be approved by the Mayor and Clerk, with such approval to be conclusively evidenced by the manual or facsimile execution thereof by the Mayor and Clerk.

SECTION 4. The Mayor and Clerk are authorized to execute the Bonds or cause the Bonds to be imprinted with a facsimile of the signature of each in the manner provided in the Indenture and the Clerk is hereby authorized and directed to cause to be affixed to or imprinted upon the Bonds the corporate seal of the City or a facsimile thereof (which facsimile the City adopts as its seal for such purpose).

SECTION 5. The Mayor and the Clerk are hereby authorized and directed, in the name of and on behalf of the City, to execute coupons attached to the Bonds or to cause to be imprinted with the facsimile signature of each in the manner provided in the Indenture and upon the satisfaction of all conditions precedent contained in the Agreement.

SECTION 6. The Mayor is hereby authorized, in the name of and on behalf of the City to deliver the Bonds to the Trustee with a request that the Bonds be authenticated by the Trustee and delivered to Matthews & Wright, Inc. in accordance with the Indenture and the Agreement.

SECTION 7. The proper officers of the City, including without limitation the Mayor and Clerk are hereby authorized to execute, deliver and file all such documents, and to enter into all such agreements, and to take all such other actions as may be required or which they deem appropriate to carry out and consummate the transaction as contemplated by the Agreement, the Bonds and the Indenture, and otherwise to effectuate the purposes of these resolutions, and the previous resolutions of the City relating to the Project.

SECTION 8. The Bonds do not constitute a pledge of the general credit or taxing power of the City. All payments of principal, premium, if any, and interest on the Bonds shall be limited to the pledge of revenues under the Indenture.

SECTION 9. Two copies of the Indenture, Agreement, Preliminary Official Statement, Loan Agreement and form of the Bonds are on file in the Office of the Clerk for public inspection.

SECTION 10. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 403, 1985. This is a proposal for a final bond ordinance authorizing the issuance of \$550,000 Economic Development Revenue Bonds, Series D, and amending Special Ordinance No. 61, 1984, for H & K Realty Company - E & A Industries, Inc. (amends previously authorized but as yet unissued Series D Bonds to reflect a longer amortization schedule of the principal). The bond financing contains the following documents: Series D Loan Agreement, First Amendment to Trust Indenture, First Amendment to Mortgage

and Security Agreement, and First Mortgage Note, Series D. The interest rate will be 75% of the prime rate of interest of Indiana National Bank. Interest payments commence August 1, 1985, and are payable monthly. Principal payments of \$2,291.67 commence February 1, 1986, and are payable monthly to and including December 1, 2006. The Economic Development Committee on July 17, 1985, recommended Proposal No. 403, 1985, Do Pass by a vote of 6-0. Councillor Clark moved, seconded by Councillor Gilmer for adoption. Proposal No. 403, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

2 NOT VOTING: *Curry, Page*

Proposal No. 403, 1985, was retitled SPECIAL ORDINANCE NO. 31, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 31, 1985

A SPECIAL ORDINANCE amending City-County Special Ordinance No. 61, 1984 and authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series D (H & K Realty Company - E & A Industries, Inc. Project)" in the principal amount of Five Hundred Fifty Thousand Dollars (\$550,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for H & K Realty Company and E & A Industries, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on October 3, 1984, and after a meeting on June 5, 1985 and July 17, 1985, adopted Resolutions on those dates, which Resolutions have been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by H & K Realty Company and H & K Realty Company and/or E & A Industries, Inc. (the "Company") consisting of the acquisition, construction, installation and equipping of a building containing approximately 30,000 square feet as an addition to the existing facilities and the machinery and equipment to be located therein plus certain site improvements to be located at 1910 South State Street, Indianapolis, Indiana on approximately 1.2 acres of land, which will be used by World Wide Chemicals, Inc. for the manufacturing of automobile reconditioning products such as polishes, waxes and cleaners and by Apex Corporation for precision machinery of parts including aircraft engine parts; the acquisition and installation of

new equipment to be used by Apex Corporation at 2620 Yandes, Indianapolis, Indiana for the precision machinery of parts including aircraft engine parts; the acquisition, construction, renovation, installation and equipping of facilities containing approximately 40,000 to 50,000 square feet located at 2920 Martindale, Indianapolis, Indiana which will be used by Ruline & Company, Inc. for the manufacturing of specialty chemicals and warehousing of its products and the acquisition, renovation, installation and equipping of two existing buildings located at 3010 Martindale Avenue, Indianapolis, Indiana, which will be used by E & A Industries, Inc. and its subsidiaries for office, warehouse and manufacturing of their respective businesses which will be initially owned by H & K Realty Company complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, although the City-County Council adopted City-County Special Ordinance No. 61, 1984 on October 22, 1984, and City-County Special Ordinance No. 20, 1985 on June 10, 1985, the authorized Series D and Series E Bonds have not yet been issued; and

WHEREAS, the Company has requested that the documents relating to the Series D Bonds be amended to reflect a longer amortization schedule of the principal; and

WHEREAS, the Indianapolis Economic Development Commission has previously on October 3, 1984 and June 5, 1985 approved by resolution the final forms of the various Loan Agreements with H & K Realty and various subsidiaries of E & A Industries, Inc., Trust Indenture, Mortgage and Security Agreement, First Mortgage Notes and the form of the City Indianapolis, Indiana Economic Development Revenue Bonds, Series A through E (H & K Realty Company - E & A Industries, Inc. Projects); and has approved the final forms of the Series D Loan Agreement, First Mortgage Note, Series D, First Amendment to Trust Indenture, First Amendment to Mortgage and Security Agreement and City of Indianapolis, Indiana Economic Development Revenue Bonds, Series D (H & K Realty Company - and E & A Industries, Inc. Projects) all as amended by Resolution adopted prior in time to this date; which Resolutions have been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Series D Loan Agreement all as amended with H & K Realty Company consisting of the acquisition, construction, installation and equipping of a building containing approximately 30,000 square feet as an addition to the existing facilities and the machinery and equipment to be located there plus certain site improvements to be located at 1910 South State Street, Indianapolis, Indiana on 1.2 acres of land, and the modification of the existing World Wide Chemicals, Inc. facility at that location, which will be used by World Wide Chemicals, Inc. for the manufacturing of automobile reconditioning products such as polishes, waxes and cleaners and by Apex Corporation for precision machinery of parts including aircraft engine parts; the acquisition and installation of new equipment to be used by Apex Corporation at 2620 Yandes, Indianapolis, Indiana for the precision machinery of parts including aircraft engine parts; the modification, installation and equipping of facilities containing approximately 40,000 to 50,000 square feet located at 2920 Martindale, Indianapolis, Indiana which will be used by Brulin & Company, Inc. for the manufacturing of specialty chemicals and warehousing of its products (collectively the "Project") previously approved by the Indianapolis Economic Develop-

ment Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to H & K Realty Company for the purposes of financing the economic development facilities being acquired, constructed, renovated, installed and equipped or to be acquired, constructed, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by H & K Realty Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Series D Loan Agreement, First Amendment to Trust Indenture, First Amendment to Mortgage and Security Agreement, First Mortgage Note, Series D, and the form of the City of Indianapolis Economic Development Revenue Bonds, Series D (H & K Realty Company - E & A Industries, Inc. Project) all as amended approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Series D Loan Agreement, First Amendment to Trust Indenture, First Amendment to Mortgage and Security Agreement, First Mortgage Note, Series D, and the form of the City of Indianapolis Economic Development Revenue Bonds, Series D (H & K Realty Company - E & A Industries, Inc. Project) all as amended are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series D (H & K Realty Company - E & A Industries, Inc. Project) all as amended in the principal amount of \$550,000) which will be utilized for the purpose of procuring funds to loan to H & K Realty Company in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Series D Loan Agreement with H & K Realty Company incorporated herein by reference. The Series D Bonds will be initially dated as of the first day of the month in which they are issued. The Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by H & K Realty Company on its First Mortgage Note, Series D all as amended in the principal amount of \$550,000, which will be executed and delivered by said companies to evidence and secure said loan, and as otherwise provided in the above described Series D Loan Agreement, First Amendment to Trust Indenture, and First Amendment to Mortgage and Security Agreement all as amended. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Series D Bonds all as amended to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as stated in each Bond, whether fixed or variable, not to exceed twenty percent (20%).

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Series D Loan Agreement, First Amendment to Trust Indenture, First Amendment to Mortgage and Security Agreement, the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series D (H & K Realty Company - E & A Industries, Inc. Project), and the Endorsement to the First Mortgage Note, Series D all as amended approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which

will be made in the manner set forth in the Trust Indenture as amended. The Mayor and City Clerk may by their execution of the Series D Loan Agreement, First Amendment to Trust Indenture, First Amendment to Mortgage and Security Agreement, the Endorsement to the First Mortgage Note, Series D all as amended and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the First Mortgage Note, Series D without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture as amended by the First Amendment to Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds, Series D (H & K Realty Company - E & A Industries, Inc. Projects) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 404, 1985. This is a proposal for a final bond ordinance authorizing the execution of an Assignment and Assumption Agreement as well as a Letter of Agreement and exchange Bond No. R-1 for Bond No. R-2 concerning the previously issued \$350,000 Economic Development First Mortgage Revenue Bonds for Laboratory Supply Co., Inc. Councillor Clark explained that the assets of Laboratory Supply Co., Inc. are being sold to Harlan Sprague Dawley, Inc. who will take over payments on the bonds. There is no change in the interest rate or principal payments from the original bond documents; the ordinance merely authorizes amendments to reflect the change in assets. The Economic Development Committee on July 17, 1985, recommended Proposal No. 404, 1985, Do Pass by a vote of 6-0. Councillor Clark moved, seconded by Councillor Rader for adoption. Proposal No. 404, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

3 NOT VOTING: *Campbell, Clark, Curry*

Proposal No. 404, 1985, was retitled SPECIAL ORDINANCE NO. 32, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 32, 1985

A SPECIAL ORDINANCE authorizing the execution and delivery of an Assignment and Assumption Agreement as well as a Letter of Agreement concerning the previously issued \$350,000 City of Indianapolis Economic Development First Mortgage Revenue Bond, Series 1981 (Laboratory Supply Co., Inc. Project).

WHEREAS, the Indianapolis Economic Development Commission at its meeting on July 17, 1985 was presented with an Assignment and Assumption Agreement (the "Agreement") dated June 3, 1985, among Laboratory Supply Co., Inc., an Indiana Corporation, (the "Assignor"); Harlan Sprague Dawley, Inc., an Indiana Corporation, (the "Assignee"); City of Indianapolis, Indiana, a municipal corporation organized and existing under the laws of the State of Indiana, (the "City"); Merchants National Bank and Trust Company of Indianapolis, Indiana, a national banking association, Indianapolis, Indiana (the "Trustee"); and The Indiana National Bank, Indianapolis, Indiana (the "Bondholder") as well as a Letter of Agreement; and

WHEREAS, Assignor entered into a Loan Agreement, dated as of September 1, 1981, with the City (the "Loan Agreement"), in connection with the issuance by the City of its \$350,000 Economic Development First Mortgage Revenue Bond, Series 1981 (Laboratory Supply Co., Inc. Project) (the "Bond"), the proceeds of which were loaned to the Assignor by the City to facilitate the acquisition and construction of a two-story animal confinement building of approximately 15,000 square feet of Butler Building design with metal exterior walls and roof, concrete floor and cinder block interior walls located at 3550 South Lynhurst Drive, Indianapolis, Indiana on a 3.444 acre tract of land and certain machinery and equipment to be located therein and all attendant excavation, landscaping and parking lot facilities (the "Project as defined in the Loan Agreement) which was originally owned and operated by Laboratory Supply Co., Inc. The Assignor, the City and the Trustee also entered into a Mortgage and Indenture of Trust, dated as of September 1, 1981, recorded at Marion County Records at 81-59409 (the "Indenture"), securing the loan to the Assignor with a mortgage on the Project. The Assignor also issued its Series 1981 Note in the principal amount of \$350,000 (the "Note") pursuant to the Loan Agreement and the Indenture to secure its payment obligations on the Bond; and

WHEREAS, Assignor has agreed with Assignee to assign to Assignee all of Assignor's right, title and interest in and to the Loan Agreement, the Indenture and the Project, and Assignee has agreed to assume all of the obligations and duties of Assignor under such documents, as such may be simultaneously therewith amended; and

WHEREAS, the Agreement evidences and confirms the agreement and consent to the transfer of any interest Assignor holds under the Loan Agreement and the indenture to the Assignee, and the assumption by Assignee of all obligations of Assignor under such documents; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Agreement as well as a Letter of Agreement by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the execution and delivery of the Agreement as well as a Letter of Agreement and the performance of the acts provided for therein

previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Agreement as well as a Letter of Agreement approved by the Indianapolis Economic Development Commission is approved and such document shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Agreement as well as a Letter of Agreement are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Bond shall continue to never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The Mayor and City Clerk are authorized and directed to execute Agreement as well as a Letter of Agreement approved herein and Bond No. R-2 in exchange for Bond No. R-1, and such execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The City Clerk or City Controller are authorized to arrange for the delivery of such Agreement as well as a Letter of Agreement and Bond No. R-2 in exchange for Bond No. R-1. The Mayor and City Clerk may by their execution of the Agreement as well as a Letter of Agreement and Bond No. R-2 in exchange for Bond No. R-1 approve changes therein without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 5. The provisions of this ordinance and the Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Bond and after the execution and delivery of the Agreement as well as a Letter of Agreement this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 405 and 406, 1985. PROPOSAL NO. 405, 1985, is a special ordinance designating the parcel of land commonly known as 2625 North Meridian Street and 2701 North Meridian Street as an economic development target area. PROPOSAL NO. 406, 1985, is a special ordinance approving extension of the maturity date from August 1, 1985, to December 31, 1985, for the previously issued \$13,530,000 City of Indianapolis, Indiana Construction Loan Revenue Bonds (Marott Apartments Project - FHA - Insured Advances) Series 1982 to keep open the option for refunding. Councillor Clark explained that the ordinance allows the maturity to be extended from August 1, 1985, to December

31, 1985, to maintain the refunding option. The target area designation is being requested to comply with a change in state statute. The Economic Development Committee on July 17, 1985, recommended Proposal Nos. 405 and 406, 1985, Do Pass by a vote of 6-0. Councillor Clark moved, seconded by Councillor Journey for adoption. Proposal No. 405, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Dowden, Durnil, Giffin, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

3 NOT VOTING: Cottingham, Curry, Gilmer

Proposal No. 405, 1985, was retitled SPECIAL ORDINANCE NO. 33, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 33, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-12 (as amended by P.L. 40-1983) limits the use of industrial development bonds for financing economic development facilities for retail trade, banking, credit agencies or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on facilities of the same kind operating in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 (as added by P.L. 40-1983) authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 25% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-12-2, as amended, (as added by P.L. 40-1983) indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been declared and confirmed as a redevelopment area before March 31, 1983; under:

- (A) I.C. 36-7-14-15, I.C. 36-7-14-16, and I.C. 36-7-14-17; or
- (B) I.C. 36-7-15.1-8, I.C. 36-7-15.1-9, and I.C. 36-7-15.1-10;

(3) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(4) encompasses buildings, structures, sites, or other facilities that are:

- (A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;
- (B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or
- (C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on July 17, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as 2625 North Meridian Street and 2701 North Meridian Street, Indianapolis, Indiana, as an Economic Development Target Area which parcels are more specifically described as:

**2625 North Meridian Street:
PARCEL No. 1**

All of Lots 128 to 133, both inclusive; all of Lots 146 to 150, both inclusive; and portions of Lots 134, 135 and 136, 143, 144, 145, together with so much of a former 15' alley (now vacated) extending south from Twenty-Seventh Street to the southern boundary of the parcel as described; also all of Lots 167, 168, and part of Lots 169, 170, 171, 178, 179, 180, and also part of vacated alley adjacent to said lots as recorded in Heywood's Second Park Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 11, page 113 in the office of the Recorder of Marion County, Indiana; also the South 10 feet of Twenty-Seventh Street from the East line of Meridian Street to the East line of the parcel described; and Pennsylvania Street from the North Line of Fall Creek Parkway to the South line of Twenty-Seventh Street, the entire parcel being described as follows:

Beginning at the Northwest corner of Lot 128 in said Heywood's Second Park Addition to the City of Indianapolis, at the intersection of the East line of Meridian Street with the South line of Twenty-Seventh Street, thence South 00 degrees 00 minutes 00 seconds West (Assumed Bearing), along the East line of Meridian Street, 439.00 feet to a point in the West line of Lot 136 in Heywood's Second Park Addition, distant 11 feet North of the Southwest corner of said Lot 136; thence North 50 degrees 21 minutes 56 seconds East 365.32 feet to the West line of Pennsylvania Street at a point in the East line of Lot 145 in Heywood's Second Park Addition, distant 10 feet South of the Northeast corner of said Lot 145; thence North 49 degrees 13 minutes 27 seconds East, 65.87 feet to the East line of Pennsylvania Street, being 167.7 feet South of the Northwest corner of Lot 167 in Heywood's Second Park Addition; thence

North 89 degrees 10 minutes 38 seconds East, parallel with the South line of Twenty-Seventh Street, 39.15 feet; thence North 56 degrees 54 minutes 28 seconds East, parallel with the North curb line of Fall Creek Parkway 244.24 feet (243.9 feet by Deed); thence North 00 degrees 09 minutes 23 seconds West, parallel with the East line of Pennsylvania Street 37.29 feet (38.28 feet by Deed) to the South line of Twenty-Seventh Street; thence continuing North 00 degrees 09 minutes 23 seconds West, parallel with the East line of Pennsylvania Street, 10.00 feet; thence South 89 degrees 10 minutes 38 seconds West, parallel with and 10 feet North of the South line of Twenty-Seventh Street, 574.92 feet to the East line of Meridian Street; thence South 00 degrees 00 minutes 00 seconds West, along the East line of Meridian Street, 10.00 feet to the Point of beginning.

PARCEL No. 2

Lot 166 and 2 feet off the entire South Side of Lot 165 in Heywood's Second Park Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 11, page 113, in the office of the Recorder of Marion County, Indiana.

2701 North Meridian Street:

A rectangular parcel of land bounded by Meridian, Pennsylvania and 27th Streets, extending 84 feet north from 27th Street and running from Meridian Street to Pennsylvania Street, being Lots 126, 151 and 152 and all but the North four feet of Lot 127 in Heywood's Second Park Addition to the City of Indianapolis as per plat thereof recorded in Plat Book 11, page 113, in the office of the Recorder of Marion County, Indiana, together with any rights the alley between such lots.

now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the parcels commonly known as 2625 North Meridian Street and 2701 North Meridian Street, Indianapolis, Indiana, which are more specifically described as:

2625 North Meridian Street:

PARCEL No. 1

All of Lots 128 to 133, both inclusive; all of Lots 146 to 150, both inclusive; and portions of Lots 134, 135 and 136, 143, 144, 145, together with so much of a former 15' alley (now vacated) extending south from Twenty-Seventh Street to the southern boundary of the parcel as described; also all of Lots 167, 168, and part of Lots 169, 170, 171, 178, 179, 180, and also part of vacated alley adjacent to said lots as recorded in Heywood's Second Park Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 11, page 113 in the office of the Recorder of Marion County, Indiana; also the South 10 feet of Twenty-Seventh Street from the East line of Meridian Street to the East line of the parcel described; and Pennsylvania Street from the North Line of Fall Creek Parkway to the South line of Twenty-Seventh Street, the entire parcel being described as follows:

Beginning at the Northwest corner of Lot 128 in said Heywood's Second Park Addition to the City of Indianapolis, at the intersection of the East line of Meridian Street with the South line of Twenty-Seventh Street, thence South 00 degrees 00 minutes 00 seconds West (Assumed Bearing), along the East line of Meridian Street, 439.00 feet to a point in the West line of Lot 136 in Heywood's Second Park Addition, distant 11 feet North of the Southwest corner of said Lot 136; thence North 50 degrees 21 minutes 56 seconds East 365.32 feet to the West line of Pennsylvania Street at a point in the East line of Lot 145 in Heywood's Second Park Addition, distant 10 feet South of the Northeast corner of said Lot 145; thence North 49 degrees 13 minutes 27 seconds East, 65.87 feet to the East line of Pennsylvania Street, being 167.7 feet South of the Northwest corner of Lot 167 in Heywood's Second Park Addition; thence North 89 degrees 10 minutes 38 seconds East, parallel with the South line of Twenty-Seventh Street, 39.15 feet; thence North 56 degrees 54 minutes 28 seconds East, parallel with the North curb line of Fall Creek Parkway 244.24 feet (243.9 feet by Deed); thence North 00 degrees 09 minutes 23 seconds West, parallel with the East line of Pennsylvania Street 37.29 feet (38.28 feet by Deed) to the South line of Twenty-Seventh Street; thence continuing North 00 degrees 09 minutes 23 seconds West, parallel with the East line of Pennsylvania Street, 10.00 feet; thence South 89 degrees 10 minutes 38 seconds West, parallel with and 10 feet North of the South line of Twenty-Seventh Street, 574.92 feet to the East line of Meridian Street; thence South 00 degrees 00 minutes 00 seconds West, along the East line of Meridian Street, 10.00 feet to the Point of beginning.

PARCEL No. 2

Lot 166 and 2 feet off the entire South Side of Lot 165 in Heywood's Second Park Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 11, page 113, in the office of the Recorder of Marion County, Indiana.

2701 North Meridian Street:

A rectangular parcel of land bounded by Meridian, Pennsylvania and 27th Streets, extending 84 feet north from 27th Street and running from Meridian Street to Pennsylvania Street, being Lots 126, 151 and 152 and all but the North four feet of Lot 127 in Heywood's Second Park Addition to the City of Indianapolis as per plat thereof recorded in Plat Book 11, page 113, in the office of the Recorder of Marion County, Indiana, together with any rights the alley between such lots.

meet the requirement imposed by I.C. 36-7-12-2, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 406, 1985, was adopted on the following roll call vote; viz:

22 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader*

NO NAYS

7 NOT VOTING: *Clark, Curry, Howard, Journey, Page, Schneider, West*

Proposal No. 406, 1985, was retitled SPECIAL ORDINANCE NO. 34, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 34, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development refunding bonds concerning the previously issued \$13,530,000 City of Indianapolis, Indiana Construction Loan Revenue Bonds (Marott Apartments Project - FHA - Insured Advances) Series 1982.

WHEREAS, the City of Indianapolis, Indiana, (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of I.C. Sections 36-7-12-1 through 36-7-12-38, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to make direct loans to users for the cost of acquisition and renovation of economic development facilities to promote the general welfare of the area in and near the City and to issue its economic development revenue bonds and refunding revenue bonds to pay all costs of acquisition or renovation of such economic development facilities, including engineering, legal fees, and all other expenses relating thereto during construction, including the costs of issuing the bonds and refunding bonds, and to secure said bonds pursuant to a Financing Agreement dated as defined in the Act by and between the City and the Owner (as hereinafter defined) (the "Financing Agreement") and the Indenture of Trust by and between the City and a trustee to be named therein (the "Indenture"); and

WHEREAS, said economic development facilities consist of the acquisition, renovation and equipping of an existing building (former Marott Hotel) in which 309,663 square feet of gross floor area were renovated to provide 239 multi-family residential rental units plus certain commercial space and the machinery and equipment to be installed therein plus certain site improvements located at 2625 North Meridian Street, Indianapolis, Indiana, on approximately 2.87 acres of land (the "Project"); and

WHEREAS, Adam-Marott Associates (the "Owner"), is a limited partnership which is organized and existing under the laws of the State of Indiana, with its principal office located in Indianapolis, Indiana, and duly qualified to conduct business in the State of Indiana; and

WHEREAS, the Owner has agreed to acquire and renovate economic development facilities for residential use within the limits of the City in the State of Indiana and thereby promote the general economic welfare of the area in and near the City and provide diversification of housing in and near the City, and make payments pursuant to the Financing Agreement evidencing its loan obligations in an amount sufficient to

pay the principal of and interest on the economic development revenue bonds herein-after authorized; and

WHEREAS, the City-County Council of Indianapolis and of Marion County, Indiana (the "City-County Council") has heretofore, by Ordinance and pursuant to the Act, created the Indianapolis Economic Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that, because of existing insufficient sites developed for residential use, the economic welfare of the City would be benefited by financing the acquisition of economic development facilities for residential use for and on behalf of the Owner; and

WHEREAS, the Commission has approved a report estimating the public services which would be made necessary or desirable, the expense thereof, the number of units developed for residential use on account of the acquisition of the economic development facilities and the cost of the economic development facilities and has submitted such report to the Presiding Officer of the Metropolitan Development Commission of Marion County, Indiana, and, if required by the Act, to the Superintendent of the school corporation where the facilities will be located; and

WHEREAS, after giving notice in accordance with the Act, the Commission held on July 7, 1982, a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the purposes and provisions of the Act, approving the financing and approving the form and terms of the \$13,530,000 City of Indianapolis, Indiana Construction Loan Revenue Bonds (Marott Apartments Project - FHA - Insured Advances) Series 1982 previously issued by the City for the purpose of funding a loan from the City to finance, by advances to be made by Fuller Mortgage Associates, Inc. to the Owner under a Note (the "Note") and Mortgage (the "Mortgage"), the cost of acquisition of such facilities, the Financing Agreement, Indenture and other documents (the "Financing Documents"); and

WHEREAS, pursuant to the Act, this City-County Council had adopted on May 10, 1982, a resolution finding that the proposed financing of the acquisition of such economic development facilities for residential use by the Owner will be of benefit to the general welfare of the City, approving the proposed financing and authorizing the issuance by the City of Indianapolis Construction Loan Revenue Bonds (Marott Associates Project - FHA - Insured Advances) Series 1982 (the "Bonds") payable solely from sources, having such terms and provisions and secured as provided by the Indenture and the Financing Agreement; and

WHEREAS, the Bonds were issued on January 13, 1983, in the aggregate principal amount of \$13,530,000; and

WHEREAS, the Owner has requested that the City take the necessary steps to issue revenue bonds to refund the outstanding Bonds which includes the extension of the maturity of the outstanding bonds from August 1, 1985 to December 31, 1985; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Public Benefits: The City-County Council of Indianapolis and of Marion County, Indiana hereby finds and determines that the real estate, interests in real estate, other improvements thereon and other machinery and equipment, to be acqu-

ired and renovated with the proceeds of the Bonds herein authorized are "economic development facilities" as that phrase is used in the Act and that acquisition and renovation of the Project will increase the number of sites developed for residential use in and near the City, will improve and promote the economic stability, development and the general welfare of the area in and near the City, and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new economic development facilities in such area.

SECTION 2. Findings: The City-County Council hereby finds that this Ordinance is of public benefit to the general welfare of the City by tending to overcome the deficiencies previously found to exist, to wit: insufficient housing facilities, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act) which will be required by the Project and further that the proposed refunding will be of benefit to the welfare of the City and complies with the purposes and provisions of the Act.

SECTION 3. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of refunding revenue bonds of the City in an amount not to exceed \$13,530,000 under the Act to be privately placed or a public offering with credit enhancement for refunding the previously issued \$13,530,000 City of Indianapolis, Indiana Construction Loan Revenue Bonds (Marott Apartments Project - FHA - Insured Advances) Series 1982 for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Company or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 4. The City-County Council further finds, determines, ratifies and confirms that, conditioned upon the consent of 100% of the bondholders, the maturity date contained in the previously issued City of Indianapolis, Indiana Construction Loan Revenue Bonds (Marott Apartments Project - FHA Insured Advances) Series 1982 by extended from August 1, 1985 to December 31, 1985 and the Mayor and City Clerk are authorized and directed to execute on behalf of the City of Indianapolis any documents which may be necessary to effect such extension.

SECTION 5. In order to induce the Company to continue with the acquisition, renovation, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development refunding revenue bonds subject to the caveat that this ordinance of inducement expires January 31, 1986 unless such refunding revenue bonds have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of this ordinance of inducement; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds and/or refunding revenue bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Revised Project incurred after the passage of City-County Special Resolution No. 27, 1982, on May 10, 1982, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to refinance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to City-County Special Resolution No. 27, 1982 will be permitted to be included as part of the bond issue to refinance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 407, 1985. This is a proposal for a special ordinance authorizing the refunding of a previously issued \$7,000,000 Economic Development Mortgage Revenue Bond for Pierson Street Associates, Ltd. (modifies principal payment schedule contained in previous bond). The project is the construction of an underground concrete public parking facility. The garage is located under a new seventeen story structure built by R.V. Welsh Investments. Citizens Fidelity Bank and Trust Company of Louisville, Kentucky, is purchasing the bond. The bond financing contains the following: Bond Amendment Agreement, First Supplemental Leasehold Mortgage, Security Agreement and Trust Indenture, and First Amendment to Loan Agreement. The interest rate will be 9 3/4% from the date of issue to July 31, 1992. From August 1, 1992, to the maturity, the interest rate will be 60% of the prime rate of interest of Citizens Fidelity. The interest is payable monthly starting September 1, 1985. The principal payments of \$60,141.81 are payable monthly and commence June 1, 1988, with the final payment due September 1, 2014. The Economic Development Committee on July 17, 1985, recommended Proposal No. 407, 1985, Do Pass by a vote of 6-0. Councillor Clark moved, seconded by Councillor Howard for adoption. Proposal No. 407, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Curry

Proposal No. 407, 1985, was retitled SPECIAL ORDINANCE NO. 35, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 35, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Mortgage Revenue Refunding Bond (Pierson Street Associates, Ltd. Project) in the principal amount of Seven Million Dollars (\$7,000,000) and authorizing other actions in respect thereto.

WHEREAS, the City of Indianapolis, Indiana, (the "City") previously issued the City of Indianapolis, Indiana, Economic Development Mortgage Revenue Bond ("Pierson Street Associates, Ltd. Project") (the "Prior Bond"), which was issued in the principal amount of Seven Million Dollars (\$7,000,000) which Prior Bond was issued pursuant to a Leasehold Mortgage Security Agreement and Trust Indenture (the "Original Indenture") dated as of September 1, 1984, among the City, Pierson Street Associates, Ltd. (the "Company") and The Indiana National Bank, as Mortgagee and Standby Trustee (the "Original Purchaser") and City-County Special Ordinance No. 50, 1984, and delivered to the Original Purchaser on September 20, 1984, and the replacement thereof was issued to Citizens Fidelity Bank and Trust Company, a Kentucky corporation with its principal office in Louisville, Kentucky, d/b/a Citizens Fidelity Mortgage Company (the "Purchaser") (The Original Indenture as amended and supplemented by the First Supplemental Leasehold Mortgage, Security Agreement and Trust Indenture, described below, shall be referred to as the "Indenture"). The proceeds from the Prior Bond were used to fund the construction of a new three-level underground concrete public parking facility, containing approximately 245,000 square feet and 500 parking spaces, and the acquisition, construction and installation of various machinery and equipment therein plus certain related site improvements (the "Project") to be located in the one-half block bounded by Illinois Street on the west, Ohio Street on the south, New York Street on the north and Pierson Street on the east, Indianapolis, Indiana; and

WHEREAS, the Project was initially and will continue to be owned and operated by the Company; and

WHEREAS, the Company and the Purchaser have requested that the City issue its City of Indianapolis, Indiana Economic Development Mortgage Revenue Refunding Bond (Pierson Street Associates, Ltd., Project) (the "Bond") in the principal amount of Seven Million Dollars (\$7,000,000) in exchange for the Prior Bond; and

WHEREAS, the Indianapolis Economic Development Commission has at a meeting held on July 17, 1985 approved the final forms of the Bond Amendment Agreement, First Supplemental Leasehold Mortgage, Security Agreement and Trust Indenture, First Amendment to Loan Agreement and the Bond by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the refunding financing of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of IC

36-7-12 and IC 5-1-5 (collectively referred to as the "Act").

SECTION 2. The forms of the Bond Amendment Agreement, First Supplemental Leasehold Mortgage, Security Agreement and Trust Indenture, First Amendment to Loan Agreement, and the Bond approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Bond Amendment Agreement, First Supplemental Leasehold Mortgage, Security Agreement and Trust Indenture, First Amendment to Loan Agreement, the Bond, the Original Indenture and the Original Loan Agreement, described below, are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue the Bond in exchange for the Prior Bond. The Bond will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its promissory note in the principal amount of Seven Million Dollars (\$7,000,000), which will be executed and delivered by the Company to evidence and secure said loan, and as otherwise provided in the above described Bond Amendment Agreement, Indenture and a Loan Agreement (the "Original Loan Agreement") dated as of September 1, 1984, by and between the Company and the City as amended and supplemented by the First Amendment to the Loan Agreement (the Original Loan Agreement as amended by the First Amendment to the Loan Agreement shall be referred to as the "Loan Agreement"). The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to deliver the Bond to the Purchaser in exchange for the Prior Bond at a rate or rates of interest on the Bond as determined in the Indenture, the Bond and the Bond Amendment Agreement (such rate setting mechanisms are hereby incorporated herein by reference), but in no event shall the interest rate on the Bond exceed twenty percent (20%) per annum or thirty percent (30%) per annum in the event there has been a Determination of Taxability as defined in the Indenture.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Bond Amendment Agreement, First Supplemental Leasehold Mortgage, Security Agreement and Trust Indenture, First Amendment to Loan Agreement, and the Bond approved herein, and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed, on behalf of the City. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of the Bond to the Purchaser in exchange for the Prior Bond. The Mayor and City Clerk may by their execution of the Bond Amendment Agreement, First Supplemental Leasehold Mortgage, Security Agreement and Trust Indenture, First Amendment to Loan Agreement, and imprinting of their facsimile signatures on the Bond or their manual execution thereof approve changes therein without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The Bond shall be issued as a single fully registered Bond in the principal amount of Seven Million Dollars (\$7,000,000), provided that upon the Conversion Date as defined in the Indenture, the replacement bonds may be issued in denominations of Five Thousand Dollars (\$5,000) or integral multiples thereof, and shall mature, be dated and subject to redemption and be payable in the medium and at the place or places and in the manner provided in the Indenture and the Loan Agreement with such provisions being approved by this Ordinance and incorporated herein by reference.

SECTION 7. The provisions of this ordinance and the Bond Amendment Agreement shall constitute a contract binding between the City and the holder of the Bond and after the issuance of the Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as the Bond or the interest thereon remains unpaid.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 408, 1985. This is a proposal for a final bond ordinance amending previously adopted Special Ordinance No. 19, 1985, for Cornelius Printing Company (modifies interest rate). Councillor Clark explained that the bonds have not been issued yet, and the new ordinance authorizes the previous interest rate of 10.75% to be changed to 75% of the prime rate of interest of American Fletcher National Bank. The Economic Development Committee on July 17, 1985, recommended Proposal No. 408, 1985, Do Pass by a vote of 6-0. Councillor Clark moved, seconded by Councillor Rader for adoption. Proposal No. 408, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Dowden, Durnil, Giffin, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

3 NOT VOTING: *Cottingham, Curry, Gilmer*

Proposal No. 408, 1985, was retitled SPECIAL ORDINANCE NO. 36, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 36, 1985

A SPECIAL ORDINANCE approving the amendment of financing documents for the previously approved but unissued City of Indianapolis Economic Development Revenue Bond (Cornelius Printing Company Project) in the principal amount of Three Million Dollars (\$3,000,000) and authorizing the City to issue such bond and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Cornelius Printing Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on June 5, 1985, adopted a Resolution on that date, which Reso-

lution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Cornelius Printing Company (the "Company") consisting of the acquisition and installation of additional printing equipment that will be located at the Company's existing facility at 2457 East Washington Street, Indianapolis, Indiana which will be used as a part of the Company's printing operation (the "Project") which will be initially owned and operated by Cornelius Printing Company complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has previously on June 5, 1985 approved the forms of the Loan Agreement including the exhibits attached thereto, Bond Purchase Agreement including the exhibits attached thereto, Promissory Note, Security Agreement and the form of the City of Indianapolis Economic Development Revenue Bond (Cornelius Printing Company Project) by Resolution adopted on that date, which Resolution has been transmitted hereto; and

WHEREAS, although the City-County Council on June 10, 1985 adopted Special Ordinance No. 19, 1985 authorizing the City to issue such Bond, the Bond has not yet been issued and the Company and American Fletcher National Bank and Trust Company (the "Bond Purchaser") have requested that the interest rate provided for in the aforesaid documents be changed from a fixed rate to a variable rate; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms, as amended to reflect the interest rate change, of the Loan Agreement including the exhibits attached thereto, Bond Purchase Agreement including the exhibits attached thereto, Promissory Note, Security Agreement and the form of the City of Indianapolis Economic Development Revenue Bond (Cornelius Printing Company Project) by Resolution adopted on July 17, 1985, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement consisting of the acquisition and installation of additional printing equipment that will be located at the Company's existing facility at 2457 East Washington Street, Indianapolis, Indiana which will be used as a part of the Company's printing operation previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Cornelius Printing Company for the purposes of financing the economic development facilities being acquired and installed or to be acquired and installed in Indianapolis, Indiana, and the repayment of said loan by Cornelius Printing Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms, as amended to reflect the interest rate change, of the Loan Agreement including the exhibits attached thereto, Bond Purchase Agreement including the exhibits attached thereto, Promissory Note, Security Agreement and the form of the City of Indianapolis Economic Development Revenue Bond (Cornelius Printing Company Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement including the exhibits

attached thereto, Bond Purchase Agreement including the exhibits attached thereto, Security Agreement, Promissory Note and the form of the City of Indianapolis Economic Development Revenue Bond (Cornelius Printing Company Project) all as amended to reflect the interest rate change are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bond (Cornelius Printing Company Project) in the principal amount of Three Million Dollars (\$3,000,000) for the purpose of procuring funds to loan to Cornelius Printing Company in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement approved herein incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Cornelius Printing Company on its Promissory Note in the principal amount of Three Million Dollars (\$3,000,000), which will be executed and delivered by Cornelius Printing Company, Inc. to evidence and secure said loan, and as otherwise provided in the Assignment of Interests, Security Agreement and the above described Loan Agreement approved herein. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bond to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate or rates of interest as set forth in the Bond Purchase Agreement approved herein and the form of the Bond.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Bond Purchase Agreement including the exhibits attached thereto, Loan Agreement including the exhibits attached thereto, the Assignment of Interests, Security Agreement, the City of Indianapolis Economic Development Revenue Bond (Cornelius Printing Company Project), and the Endorsement to the Promissory Note approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Bond Purchase Agreement. The Mayor and City Clerk may by their execution of the Loan Agreement including the exhibits attached thereto, Assignment of Interests, Bond Purchase Agreement including the exhibits attached thereto, the Endorsement to Promissory Note and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in the Promissory Note and Security Agreement without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Bond Purchase Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bond (Cornelius Printing Company Project) and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 409, 1985. This proposal is an inducement resolution amending previously adopted Special Resolution No. 36, 1985, to increase the amount of the inducement resolution from \$8,000,000 to an amount not to exceed \$10,000,000 and to modify the description of the Company to also include The Mediplex Group, Inc. or a general or limited partnership in which Cambridge Group, Inc. or The Mediplex Group, Inc. are principals. Councillor Clark stated that it is anticipated that The Mediplex will construct the facility and then lease it back to the Cambridge Group, Inc. The increase in the original inducement amount is being requested to provide for a debt service reserve fund, due to more accurate estimates of the project cost being available now and in part because there have been unexpected costs associated with site preparation due to the project being located in a flood plain. The Economic Development Committee on July 17, 1985, recommended Proposal No. 409, 1985, Do Pass by a vote of 6-0. Councillor Clark moved, seconded by Councillor Boyd for adoption. Proposal No. 409, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Boyd, Bradley, Campbell, Coughenour, Dowden, Durnil, Giffin, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

5 NOT VOTING: *Clark, Cottingham, Crowe, Curry, Gilmer*

Proposal No. 409, 1985, was retitled SPECIAL RESOLUTION NO. 106, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 106, 1985

A SPECIAL RESOLUTION amending previously adopted City-County Special Resolution No. 36, 1985 to increase amount from \$8,000,000 to an amount not to exceed \$10,000,000 and to modify the definition of the Company to also include The Mediplex Group, Inc. or a general or limited partnership in which Cambridge Group, Inc. or The Mediplex Group, Inc. are principals and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Cambridge Group, Inc. (the "Company") has previously advised the Indianapolis Economic Development Commission and the City that it proposed that the City either acquire, construct, install and equip certain economic development

facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a building containing approximately 65,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at the southwest corner of the intersection of 86th Street and Township Line Road, Indianapolis, Indiana on approximately 38.0 acres of land which will be used as an approximately 120 bed skilled and intermediate care nursing home (the "Project"); and

WHEREAS, the City-County Council on December 10, 1984 adopted Special Resolution No. 106, 1984 concerning the Project; and

WHEREAS, subsequent to the adoption of Special Resolution No. 106, 1984, the project engineer recommended that the building be relocated and slightly reconfigured to minimize the impact of a floodway which passes through the project site; in accordance with the project engineer's recommendation, the project architect revised the plans for the building; in doing so, the project architect increased the size of the proposed building by approximately 8,000 square feet and the bed capacity by 38 beds so that the building will now contain approximately 73,000 square feet and 158 skilled and intermediate care beds (the "Revised Project"); and

WHEREAS, the request has been made to modify the definition of the Company to include The Mediplex Group, Inc. or a general or limited partnership in which Cambridge Group, Inc. or The Mediplex Group, Inc. are principals; and

WHEREAS, the City-County Council on April 15, 1985 adopted Special Resolution No. 36, 1985 amending the Project description to reflect and approve the Revised Project; and

WHEREAS, it has now been determined that the Revised Project costs will exceed the originally estimated \$8,000,000 due to additional costs for site preparation, increased construction costs and the need for a reasonably required debt service reserve fund but the revised project costs will not exceed \$10,000,000; and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 46 at the end of one year and 92 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Revised Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Revised Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health,

safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it fully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an increased amount not to exceed Ten Million Dollars (\$10,000,000) under the Act for the acquisition, construction, installation and equipping of the Revised Project and the sale or leasing of the Revised Project to Cambridge Group, Inc., The Mediplex Group, Inc. or a general or limited partnership in which Cambridge Group, Inc. or The Mediplex Group, Inc. are principals (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Revised Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Revised Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires February 28, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Company to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose "as defined in I.C. 36-7-12-1 et seq."] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Revised Project incurred after the passage of City-County Special Resolution No. 106, 1984, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, will be permitted to be included as part of the bond issue to finance said Revised Project, and the City will thereafter sell the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 410, 1985. This proposal is an inducement resolution amending previously adopted Special Resolution No. 88, 1984, and Special Resolution No. 39, 1985, by modifying the entity description and extending the expiration date from July 31, 1985, to February 28, 1986. The original entity description was for Clerk-Knoxville-Clark Associates, Inc., and Proposal No. 410 amends that to Vermont Street Associates, a limited partnership. The Economic Development Committee on July 17, 1985, recommended Proposal No. 410, 1985, Do Pass by a vote of 6-0. Councillor Clark moved, seconded by Councillor Howard for adoption. Proposal No. 410, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West*

NO NAYS

4 NOT VOTING: *Clark, Curry, Journey, Stewart*

Proposal No. 410, 1985, was retitled SPECIAL RESOLUTION NO. 107, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 107, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 39, 1985 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 88, 1984 as amended by Special Resolution No. 39, 1985 has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Clark-Knoxville-Clark Associates, Ltd. which Special Resolution as amended set an expiration date of July 31, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause for extending the aforesaid expiration date and amending the description of the Company to be Vermont Street Associates, a limited partnership; now therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 88, 1984 as amended by Special Resolution No. 39, 1985 is hereby amended by deleting the expiration date of July 31, 1985 contained therein and replacing said date with the date of February 28, 1986, and amending the description of the Company to be Vermont Street Associates, a limited partnership.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 88, 1984 as amended by Special Resolution No. 39, 1985 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 411, 1985. This is a proposal for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Throgmartin Realty in an approximate amount of \$4,000,000. Councillor Clark described the project as the construction of approximately 30,000 square feet of office space and approximately 100,000 square feet of warehouse space to be located in the 3800 block of East 96th Street on approximately fourteen acres of land. The facility will be built by Throgmartin Realty and leased to Greg Appliance, Inc. for its warehouse and distribution center and corporate general offices. Estimated costs for the \$4 million project are as follows: \$700,000 land, \$2.9 million building, and \$400,000 equipment. Construction should begin in September of 1985 with occupation by March of 1986. The estimated number of additional employment positions at the end of one year total thirty-two jobs with \$640,000 in additional payroll to the community. The three-year job estimate is forty-nine positions with \$940,000 in additional payroll. The Company currently has 130 employees with an approximate yearly payroll of \$3 million. The Economic Development Committee on July 17, 1985, recommended Proposal No. 411, 1985, Do Pass by a vote of 6-0. Councillor Clark moved, seconded by Councillor Howard for adoption. Proposal No. 411, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Dowden, Durnil, Giffin, Hawkins, Holmes, Howard, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

4 NOT VOTING: *Cottingham, Curry, Gilmer, Journey*

Proposal No. 411, 1985, was retitled SPECIAL RESOLUTION NO. 108, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 108, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Throgmartin Realty (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of approximately 30,000 square feet of office space and approximately 100,000 square feet of warehouse space and the machinery and equipment to be installed therein plus certain site improvements to be located in the 3800 block of East 96th Street on approximately 14 acres of land in Indianapolis, Marion County, Indiana which will be used for Greg Appliance, Inc.'s corporate warehouse and distribution center and general offices, for all corporate matters (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 32 at the end of one year and 49 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said

Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$4,000,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires February 28, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 412 and 413, 1985. PROPOSAL NO. 412, 1985, is a proposal for a special ordinance designating the parcels of land commonly known as 516, 522, 526, 530, 534, 538-540, 544, 522, 556, 558 and 560 Fletcher Avenue; and 525, 529, 549, 553, 555, 557, 559, 561 and 563-565 Lord Street; and 300 South East Street as an economic development target area. PROPOSAL NO. 413, 1985, is a proposal for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Fletcher Place Properties in an approximate amount of \$5,000,000. Councillor Clark described the project as the development of a total of ninety-three residential rental units in two phases. Estimated costs for the \$5 million project are as follows: \$1.2 million land, \$3.4 million rehabilitation, and \$400,000 other contingencies. Rehabilitation should begin in August of 1985 and be completed before the end of 1985. The construction payroll should be approximately \$1.4 million. The project itself will provide six permanent jobs amounting to \$125,000- \$135,000 in additional payroll to the community. Rental rates should be \$250-\$500 per month for one and two bedroom apartments ranging from 400 to 900 square feet and all buildings associated with the project are currently vacant. Councillor David Page stated that he will be a limited partner; therefore, must disclose all interest in this project and abstain from any of the Council proceedings involving this project. The Economic Development Committee on July 17, 1985, recommended Proposal Nos. 412 and 413, 1985, Do Pass by a vote of 6-0. Councillor Clark moved, seconded by Councillor Gilmer for adoption. Proposal No. 412, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Giffin, Gilmer, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

4 NOT VOTING: *Curry, Durnil, Hawkins, Page*

Proposal No. 412, 1985, was retitled SPECIAL ORDINANCE NO. 37, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 37, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by

I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-12 (as amended by P.L. 40-1983) limits the use of industrial development bonds for financing economic development facilities for retail trade, banking, credit agencies or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on facilities of the same kind operating in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 (as added by P.L. 40-1983) authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 25% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-12-2, as amended, (as added by P.L. 40-1983) indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been declared and confirmed as a redevelopment area before March 31, 1983; under:

- (A) I.C. 36-7-14-15, I.C. 36-7-14-16, and I.C. 36-7-14-17; or
- (B) I.C. 36-7-15.1-8, I.C. 36-7-15.1-9, and I.C. 36-7-15.1-10;

(3) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(4) encompasses buildings, structures, sites, or other facilities that are:

- (A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;
- (B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or
- (C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on July 17, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as 516, 522, 526, 530, 534, 538-540, 544, 550, 554, 556, 558 and 560 Fletcher Avenue; and 525, 529, 549, 553, 555, 557, 559, 561 and 563-565 Lord Street and 300 South East Street, Indianapolis, Indiana, as an Economic Development Target Area which parcels are more specifically described as:

- 516 Fletcher Avenue (B&B Parking Lot)
Landis Sub L5 0L93
- 522 Fletcher Avenue (B&B Apartments)
50 ft X 133.4 ft Beg 150 ft E of SW cor 0L93
- 526 Fletcher Avenue
30 Ft S Line X 147 10-12 ft Beg 200 ft E of SW cor 0L93
- 530 Fletcher Avenue
35 Ft on South St. X 133 4-12 ft W of 170 ft SE cor of 0L93
- 534 Fletcher Avenue
30 ft S line X 148.33 ft Beg 140 ft of Se cor 0L93
- 538/540 Fletcher Avenue
46 ft X 148.33 ft Beg 94 ft W of SE cor 0L93
- 544 Fletcher Avenue
35 ft S line X 148 4-12 ft Beg 59 ft W of SE cor 0L93
- 550 Fletcher Avenue
0L93 38 X 133.4 ft W of 21 ft E
- 554 Fletcher Avenue
28 ft X 133.4 ft Beg 264 ft E of NE cor L5 0L 92-93
- 556 Fletcher Avenue
53 X 148 ft E of SW cor 0L92
- 558 Fletcher Avenue
53 X 148 ft E of 7 ft SW cor 0L92
- 560 Fletcher Avenue
Sw cor on Fletcher Ave E of 40 ft N 148 4-12 ft W 40 ft S to place of Beg ex 7
1/2 ft N end of alley 0L92
- 525 Lord Street
Jones Sub L7 0L93
- 529 Lord Street
Jesse Jones Sub L8 0L93
- 533 Lord Street
Jones Sub L9 0L93
- 537 Lord Street
Jesse Jones Sub L10 0L93
- 541 Lord Street
Jesse Jones Sub L11 0L93
- 545 Lord Street
Jesse Jones Sub L12 0L93

- 549 Lord Street
Jesse Jones Sub L13 0L93
- 553 Lord Street
40 ft on Lord Street X 118.33 ft middle pt W side 0L92
- 555 Lord Street
22 ft on Lord St X 118 ft ex 3 ft S side Beg 155.6 ft W of W side Cinn St
0L92
- 557 Lord Street
21 ft E of 62 ft E of NE cor of Lot 13 Jones Sub ex 3 ft S S for Alley
0L92
- 559 Lord Street
Jones Sub 28 ft N line X 118 ft Beg 83 ft E of NE cor L13 0L92
- 563 Lord Street
33 3-12 ft on Rockwood St X 117 ft com 111 ft E of W line 0L92
- 300 South East Street
I & C RR Cox. Sub No side 0L93 (81-113-001)
63 ft S side of 135 ft W end 0L93 (81-113-002)

now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the parcels commonly known as 516, 522, 526, 530, 534, 538-540, 544, 550, 554, 556, 558 and 560 Fletcher Avenue; and 525, 529, 549, 553, 555, 557, 559, 561 and 563-565 Lord Street and 300 South East Street, Indianapolis, Indiana, which are more specifically described as:

- 516 Fletcher Avenue (B&B Parking Lot)
Landis Sub L5 0L93
- 522 Fletcher Avenue (B&B Apartments)
50 ft X 133.4 ft Beg 150 ft E of SW cor 0L93
- 526 Fletcher Avenue
30 Ft S Line X 147 10-12 ft Beg 200 ft E of SW cor 0L93
- 530 Fletcher Avenue
35 Ft on South St. X 133 4-12 ft W of 170 ft SE cor of 0L93
- 534 Fletcher Avenue
30 ft S line X 148.33 ft Beg 140 ft of Se cor 0L93
- 538/540 Fletcher Avenue
46 ft X 148.33 ft Beg 94 ft W of SE cor 0L93
- 544 Fletcher Avenue
35 ft S line X 148 4-12 ft Beg 59 ft W of SE cor 0L93

- 550 Fletcher Avenue
0L93 38 X 133.4 ft W of 21 ft E
- 554 Fletcher Avenue
28 ft X 133.4 ft Beg 264 ft E of NE cor L5 0L 92-93
- 556 Fletcher Avenue
53 X 148 ft E of SW cor 0L92
- 558 Fletcher Avenue
53 X 148 ft E of 7 ft SW cor 0L92
- 560 Fletcher Avenue
Sw cor on Fletcher Ave E of 40 ft N 148 4-12 ft W 40 ft S to place of Beg ex 7
1/2 ft N end of alley 0L92
- 525 Lord Street
Jones Sub L7 0L93
- 529 Lord Street
Jesse Jones Sub L8 0L93
- 533 Lord Street
Jones Sub L9 0L93
- 537 Lord Street
Jesse Jones Sub L10 0L93
- 541 Lord Street
Jesse Jones Sub L11 0L93
- 545 Lord Street
Jesse Jones Sub L12 0L93
- 549 Lord Street
Jesse Jones Sub L13 0L93
- 553 Lord Street
40 ft on Lord Street X 118.33 ft middle pt W side 0L92
- 555 Lord Street
22 ft on Lord St X 118 ft ex 3 ft S side Beg 155.6 ft W of W side Cinn St 0L92
- 557 Lord Street
21 ft E of 62 ft E of NE cor of Lot 13 Jones Sub ex 3 ft S S for Alley L92
- 559 Lord Street
Jones Sub 28 ft N line X 118 ft Beg 83 ft E of NE cor L13 0L92
- 563 Lord Street
33 3-12 ft on Rockwood St X 117 ft com 111 ft E of W line 0L92
- 300 South East Street
I & C RR Cox. Sub No side 0L93 (81-113-001)
63 ft S side of 135 ft W end 0L93 (81-113-002)

meet the requirement imposed by I.C. 36-7-12-2, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 413, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

3 NOT VOTING: *Curry, Durnil, Page*

Proposal No. 413, 1985, was retitled SPECIAL RESOLUTION NO. 109, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 109, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Fletcher Place Properties, an Indiana Limited Partnership (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, renovate, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction of 29 units and renovation of 43 existing units for use as multi-family residential rental housing plus certain site improvements to be located at 516, 522, 526, 530, 534, 538-540, 544, 550, 554, 556, 558 and 560 Fletcher Avenue; and 525, 529, 549, 553, 555, 557, 559, 561 and 563-565 Lord Street and 300 South East Street on approximately 1.7 acres of land in Indianapolis, Marion County, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 6 at the end of one year and 6 at the end of three years) to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new jobs; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$5,000,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Site being located in an Economic Development Target Area declared pursuant to I.C. 36-7-12 as amended for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, renovation, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires February 28, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 414, 1985. This is a proposal for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for H & K Realty Co. and E & A Industries, Inc. in an approximate amount of \$3,000,000. Councillor Clark described the project as the construction of a 60,000 square foot addition to the Company's existing 93,000 square foot production, warehouse and office building located at 2920 Martindale. The addition will be used by Brulin & Co., Inc. for manufacturing of janitorial, building maintenance and industrial specialty chemical products consisting primarily of cleaners and floor finishes. Estimated costs for the \$3 million project are as follows: \$2.25 million building and \$750,000 equipment. The project should be completed by August of 1986. The estimated number of additional employment positions at the end of one year total twelve jobs with \$250,000 in additional payroll to the community. The three-year job estimate is twenty-five positions with \$525,000 in additional payroll. The Company currently employs 100 persons with an annual payroll of approximately \$2,760,000. The Economic Development Committee on July 17, 1985, recommended Proposal No. 414, 1985, Do Pass by a vote of 6-0. Councillor Clark moved, seconded by Councillor Rader for adoption.

Councillor Journey informed the Council that this company made a statement last time they came before the Council that they were interested in hiring the local neighborhood people. She sent people to apply for these jobs, and they were not even allowed to fill out an application. She asked who keeps in contact with these companies to make sure that they keep their word. President SerVaas

explained that he corresponds with the companies after they have received their inducement resolution wishing them good luck in their endeavor and encouraging that they should employ local people. President SerVaas stated that he would follow-up on this particular company.

Proposal No. 414, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Curry

Proposal No. 414, 1985, was retitled SPECIAL RESOLUTION NO. 110, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 110, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, H & K Realty Co. and E & A Industries, Inc. (the "Applicant") has advised the Indianapolis Economic Development Commission and the City that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of an approximately 60,000 square foot addition to the 93,000 square feet of production, warehouse and office space owned by the Applicant located at 2920 Martindale Avenue, Indianapolis, Indiana and the machinery and equipment to be installed therein plus certain site improvements which will be used by Brulin & Co., Inc. for the manufacturing of janitorial, building maintenance and industrial specialty chemical products consisting primarily of cleaners and floor finishes (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 12 at the end of one year and 25 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$3,000,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires February 28, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to

have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 415 and 416, 1985. PROPOSAL NO. 415, 1985, is a special ordinance designating the parcels of land commonly known as 223 McCrea Street as an economic development target area. PROPOSAL NO. 416, 1985, is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Robert A. Borns and Sandra S. Borns in an amount not to exceed \$1,000,000. Councillor Clark described the project as the renovation of the former Jackson Place Apartments. The facility contains approximately 55,000 square feet and will be renovated to office space. Estimated costs for the \$2 million project (\$1 million in equity) are as follows: \$1.85 million building and \$150,000 other contingencies. Renovation should begin immediately with a completion date of July, 1986. The estimated number of additional employment positions at the end of one and three years total eight jobs. The Economic Development Committee on July 17, 1985, recommended Proposal Nos. 415 and 416, 1985, Do Pass by a vote of 6-0. Councillor Clark moved, seconded by Councillor Schneider for adoption. Proposal No. 415, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Curry

Proposal No. 415, 1985, was retitled SPECIAL ORDINANCE NO. 38, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 38, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 (as amended by P.L. 40-1983) limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on facilities of the same kind operating in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

- "(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;
- (2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or
- (3) encompasses buildings, structures, sites, or other facilities that are:
 - (A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;
 - (B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or
 - (C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on July 17, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcel commonly known as 223 McCrea Street, Indianapolis, Indiana, as an Economic Development Target Area which parcel is more specifically described as:

Part of Lots 4 and 5 in Morris Morris' Subdivision of Square 87 in the City of Indianapolis and being more particularly described as follows:

Commencing at the Southwest corner of the aforementioned Lot 5 being the East line of McCrea Street; running thence North 00 degrees 00 minutes 00 seconds East on and along the West line of Lot 5 and the East line of this description; running thence South 89 degrees 46 minutes 53 seconds East parallel to the North line of said Lot 5 a distance of 101.422 feet to the West wall of a certain brick building situated on the land immediately East of the land described herein; running thence North 00 degrees 12 minutes 37 seconds East a distance of 51.25 feet to a point on the South line of Jackson Place as recorded in Street and Alley Opening and Vacation Record No. 8, page 46 in the office of the Recorder of Marion County, Indiana; running thence North 89 degrees 46 minutes 53 seconds West on and along the South line of Jackson Place a distance of 101.61 feet to the West line of said Lot 4 being the East line of McCrea Street; running thence South 00 degrees 00 minutes 00 seconds West along the West line of said Lots 4 and 5 and the East line of McCrea Street a distance of 51.25 feet to the point of beginning.

now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the parcel commonly known as 223 McCrea Street, Indianapolis, Indiana, which is more specifically described as:

Part of Lots 4 and 5 in Morris Morris' Subdivision of Square 87 in the City of Indianapolis and being more particularly described as follows:

Commencing at the Southwest corner of the aforementioned Lot 5 being the East line of McCrea Street; running thence North 00 degrees 00 minutes 00 seconds East on and along the West line of Lot 5 and the Eastline of McCrea Street a distance of 33.00 feet to a point that is 33.00 feet South of the Northwest corner of said Lot 5 and the point of beginning of this description; running thence South 89 degrees 46 minutes 53 seconds East parallel to the North line of said Lot 5 a distance of 101.422 feet to the West wall of a certain brick building situated on the land immediately East of the land described herein; running thence North 00 degrees 12 minutes 37 seconds East a distance of 51.25 feet to a point on the South line of Jackson Place as recorded in Street and Alley Opening and Vacation Record No. 8, page 46 in the office of the Recorder of Marion County, Indiana; running thence North 89 degrees 46 minutes 53 seconds West on and along the South line of Jackson Place a distance of 101.61 feet to the West line of said Lot 4 being the East line of McCrea Street; running thence South 00 degrees 00 minutes 00 seconds West along the West line of said Lots 4 and 5 and the East line of McCrea Street a distance of 51.25 feet to the point of beginning.

meet the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 416, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Giffin, Gilmer, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

3 NOT VOTING: Crowe, Curry, Hawkins

Proposal No. 416, 1985, was retitled SPECIAL RESOLUTION NO. 111, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 111, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Robert A. Borns and Sandra S. Borns or any entity designated by them (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either convert, rehabilitate, construct, install, equip and improve certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the conversion, rehabilitation, construction, installation, equipping and improvement of a facility located at 223 McCrear Street, Indianapolis, Indiana, to be converted into an office building containing approximately 55,000 gross square feet; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 4 at the end of one year and 4 at the end of three years) to be achieved by the conversion, rehabilitation, construction, installation, equipping and improvement of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new jobs; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the conversion, rehabilitation, construction, installation, equipping and improvement of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$1,000,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Site being located in an Economic Development Target Area declared pursuant to I.C. 36-7-12 as amended for the conversion, rehabilitation, construction, installation, equipping and improvement of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the conversion, rehabilitation, construction, installation, equipping and improvement of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires February 28, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to

authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, conversion, rehabilitation, construction, installation, equipping and improvement of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 417, 1985. This is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Brigham Holdings, Inc. in an approximate amount of \$3,000,000. Councillor Clark stated that Brigham Holdings, Inc. is a parent company of numerous entities involved in the manufacturing and distribution of sausage, poultry, pickles, and various kosher products. The project is to move the meat processing portion of Brigham's Miami, Florida, facility to Indianapolis and acquire and renovate an existing vacant facility at 602 West Ray Street which would be used for the Company's activities processing, warehousing and distribution of meat products and related food products. The facility, which was formerly used by the Rath Packing Co., has been vacant for two and one-half years. Estimated costs for the \$3.5 million project are as follows: \$200,000 land, \$1,700,000 buildings, \$1,500,000 equipment, and \$100,000 other contingencies. The estimated number of additional employment positions at the end of one year total 108 jobs with \$1,684,800 in additional payroll to the community. The three-year job estimate is 209 positions with \$3,483,480 in additional payroll. The Economic Development Committee on July 17, 1985, recommended Proposal No. 417, 1985, Do Pass by a vote of 5-0. Councillor Clark moved, seconded by Councillor Stewart for adoption. Proposal No. 417, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS
2 NOT VOTING: Curry, Howard

Proposal No. 417, 1985, was retitled SPECIAL RESOLUTION NO. 112, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 112, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Brigham Holdings, Inc. (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, convert, rehabilitate, construct, install, equip and improve certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, conversion, rehabilitation, construction, installation, equipping and improvement of the existing "Rath Packing Plant" containing approximately 375,098 square feet located at 602 West Ray Street, Indianapolis, Indiana, on approximately 8.61 acres of land to be used by the Applicant and its subsidiaries particularly United Beef Packers, Inc. for the processing, warehousing and distribution of meat products and related food products; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 108 at the end of one year and 209 at the end of three years) to be achieved by the acquisition, conversion, rehabilitation, construction, installation, equipping and improvement of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new jobs; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, conversion, rehabilitation, construction, installation, equipping and improvement of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$3,000,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, conversion, rehabilitation, construction, installation, equipping and improvement of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, conversion, rehabilitation, construction, installation, equipping and improvement of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires February 28, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, conversion, rehabilitation, construction, installation, equipping and improvement of the Project

will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 423, 1985. This is a proposal which allows the Board of Parks and Recreation to waive certain regulations to allow certain events to take place on Lake Indy and Eagle Creek. Councillor Durnil reported that Proposal No. 423, will allow the Parks and Recreation Board to permit certain sporting events to take place on Lake Indy. The Coors Light International Water Ski Tournament was to be held further south on White River, but due to the unhealthy environment of the water, it is necessary to change this. With the passage of this proposal, the event will take place on Lake Indy, August 24 and 25, 1985. The Parks and Recreation Committee on July 18, 1985, recommended Proposal No. 423, 1985, Do Pass by a vote of 5-0. Councillor Durnil moved, seconded by Councillor Journey for adoption. Proposal No. 423, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

4 NOT VOTING: *Clark, Curry, Howard, Page*

Proposal No. 423, 1985, was retitled GENERAL ORDINANCE NO. 45, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 45, 1985

A GENERAL ORDINANCE concerning the Department of Parks and Recreation's authority to waive certain ordinances concerning lake Indy and Eagle Creek.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Chapter Seven Article III of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by adding a new section 7-53 to read as follows:

Sec. 7-53.

The Board of Parks and Recreation is authorized and empowered, by resolution, to waive the provisions of this article in conjunction with special event activities on Lake Indy or Eagle Creek.

SECTION 2. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if, such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 442-446, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on July 5, 1985". No action was taken on Proposal Nos. 442-446, 1985 by the Council; and the proposals were deemed adopted. Proposal Nos. 442-446, 1985, were retitled REZONING ORDINANCE NOS. 87-91, 1985, and read as follows:

REZONING ORDINANCE NO. 87, 1985 85-Z-47 AMENDED WAYNE TOWNSHIP COUNCILMANIC DISTRICT NO. 18
202 GASOLINE ALLEY, INDIANAPOLIS
Jack and Lovetta Russell, by David Rogers, request the rezoning of 5.6 acres, being in the A-1 district, to the I-I-S classification, to provide for light industrial use.

REZONING ORDINANCE NO. 88, 1985 85-Z-75 WASHINGTON TOWNSHIP COUNCILMANIC DISTRICT NO. 1
6191 NORTH MICHIGAN ROAD, INDIANAPOLIS
Bethesda Temple Apostolic Church and Compucom Development Corporation, by James R. Nickels, request the rezoning of 5.4 acres, being in the D-3 district, to the SU-1 classification, to provide for a church and related uses.

REZONING ORDINANCE NO. 89, 1985 85-Z-76 WAYNE TOWNSHIP COUNCILMANIC DISTRICT NO. 19
9213 WEST JACKSON STREET, INDIANAPOLIS
Robert C. Pendelton, by Henry Y. Dein, requests the rezoning of 1.3 acres, being in the A-2 district, to the D-3 classification, to provide for residential use.

REZONING ORDINANCE NO. 90, 1985 85-Z-78 WARREN TOWNSHIP COUNCILMANIC DISTRICT NO. 14
115 SOUTH AUDUBON ROAD, INDIANAPOLIS
Historic Landmarks Foundation of Indiana, Inc., requests the rezoning of 0.8 acre, being in the D-6 district, to the C-1 classification, to provide for restoration of the residential structure for professional offices.

REZONING ORDINANCE NO. 91, 1985 85-Z-79 PIKE TOWNSHIP COUNCILMANIC DISTRICT NO. 1

7202 GEORGETOWN ROAD, INDIANAPOLIS

Charles O. Gwaltney requests the rezoning of 21.86 acres, being in the D-3 district, to the I-2-S classification, to provide for light industrial development.

PROPOSAL NOS. 447-463, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on July 18, 1985". Councillor Miller requested that Proposal No. 451, 1985, be scheduled for public hearing by the Council at their August 5, 1985, meeting. Consent was given. No action was taken on Proposal Nos. 447-450 and 452-463, 1985 by the Council; and the proposals were deemed adopted. Proposal Nos. 447-450 and 452-463, 1985, were retitled REZONING ORDINANCE NOS. 92-107, 1985, and read as follows:

**REZONING ORDINANCE NO. 92, 1985 85-Z-33A PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1**

6890 MICHIGAN ROAD, INDIANAPOLIS

The Estate of Randall W. Mitchell, by Thomas Michael Quinn, Jr., requests the rezoning of 6.13 acres, being in the A-2 district, to the SU-1 classification, to provide for church related activities.

**REZONING ORDINANCE NO. 93, 1985 85-Z-33B PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1**

6880 MICHIGAN ROAD, INDIANAPOLIS

The Estate of Randall W. Mitchell, by Thomas Michael Quinn, Jr., requests the rezoning of 4.39 acres, being in the A-2 district, to the C-S classification, to provide for the construction of mini-warehouses and a resident manager's apartment.

**REZONING ORDINANCE NO. 94, 1985 85-Z-33C PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1**

6870 MICHIGAN ROAD, INDIANAPOLIS

The Estate of Randall W. Mitchell, by Thomas Michael Quinn, Jr., requests the rezoning of 2.1 acres, being in the A-2 district, to the C-2 classification, to provide for development of permitted uses.

**REZONING ORDINANCE NO. 95, 1985 85-Z-61 AMENDED WASHINGTON
TOWNSHIP**

COUNCILMANIC DISTRICT NO. 4

9375 WHITLEY DRIVE, INDIANAPOLIS

Richard M. and Delores A. Reinbold, by Philip A. Nicely, request the rezoning of 5.11 acres, being in the C-1 and C-4 districts, to the C-S classification, to provide for the construction of an automobile dealership.

**REZONING ORDINANCE NO. 96, 1985 85-Z-74 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 19**

1401 SOUTH GIRLS SCHOOL ROAD, INDIANAPOLIS

The Summit Finishing Company, Inc., by Scott A. Lindquist, requests the rezoning of approximately 9.0 acres, being in the I-2-S and D-6 II districts, to the I-3-S classification, to provide for the construction of an electroplating plant.

**REZONING ORDINANCE NO. 97, 1985 85-Z-80 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 17**

3106 WEST 16TH STREET, INDIANAPOLIS

Amoco Oil Company, by John W. Bauer, requests the rezoning of 0.28 acre, being in the D-5 district, to the C-3 classification, to provide for the reconstruction of a gas station with convenience store.

**REZONING ORDINANCE NO. 98, 1985 85-Z-81 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 9**

2934 NORTH ILLINOIS STREET, INDIANAPOLIS

Indianapolis Life Insurance Company, by Philip A. Nicely, requests the rezoning of 0.35 acre, being in the D-8 district, to the C-2 classification, to provide additional parking for existing office use.

**REZONING ORDINANCE NO. 99, 1985 85-Z-87 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 10**

2603 NORTH TACOMA AVENUE, INDIANAPOLIS

Department of Metropolitan Development requests the rezoning of 2.43 acres, being in the PK-1 district, to the D-8 classification, to provide for the construction of apartments for the elderly.

**REZONING ORDINANCE NO. 100, 1985 85-Z-88 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25**

4530 SOUTH HARDING STREET, INDIANAPOLIS

Robert DeVaan, by Stephen A. Harlow, requests the rezoning of approximately 5 acres, being in the I-4-S district, to the C-6 classification, to provide for the construction of a budget motel.

**REZONING ORDINANCE NO. 101, 1985 85-Z-89 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13**

9602 EAST WASHINGTON STREET (REAR), INDIANAPOLIS

Cherry Tree Professional Building, Inc., by James T. Crawford, Jr. and Phillip B. Frank, requests the rezoning of 2.05 acres, being in the D-2 district, to the C-1 classification, to provide for the construction of offices.

**REZONING ORDINANCE NO. 102, 1985 85-Z-90 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 6**

6701 WESTFIELD BOULEVARD, INDIANAPOLIS

John W. McIntosh requests the rezoning of approximately 40 acres, being in the C-3, D-S, A-2, SU-3 and SU-16 districts, to the D-2 classification, to provide for residential use.

**REZONING ORDINANCE NO. 103, 1985 85-Z-91 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21**

902 FLETCHER AVENUE, INDIANAPOLIS

Metropolitan Development Commission requests the rezoning of 4.05 acres, being in the D-8, C-5 and SU-2 districts, to the SU-1 classification, to correct a mapping error found relating to rezoning petition 81-Z-143.

**REZONING ORDINANCE NO. 104, 1985 85-Z-92 AMENDED WAYNE
TOWNSHIP**

COUNCILMANIC DISTRICT NO. 1

7901 CRAWFORDSVILLE ROAD, INDIANAPOLIS

Edward Rose of Indiana, by John W. Van Buskirk, requests the rezoning of approximately 1.84 acres, being in the I-4-S district, to the C-3 classification, to provide for the construction of an office building and retail development.

REZONING ORDINANCE NO. 105, 1985 85-Z-95 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
8701 EAST 96TH STREET, INDIANAPOLIS
Evergreen Development Corporation, by Philip A. Nicely, requests the rezoning of approximately 39 acres, being in the A-2 district, to the D-2 classification, to provide for residential use by platting.

REZONING ORDINANCE NO. 106, 1985 85-Z-105 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 7
6403 NORTH KEYSTONE AVENUE, INDIANAPOLIS
Metropolitan Development Commission requests the rezoning of 0.39 acre, being in the C-3 district, to the C-S classification, to correct a mapping error found relating to rezoning petition 84-Z-122.

REZONING ORDINANCE NO. 107, 1985 85-Z-132 (85-DP-7) PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
9150 CLEMSON STREET, INDIANAPOLIS
College Park Corporation, by William F. LeMond, requests the rezoning of 16.49 acres, being in the D-P district, to the D-P classification, to provide for the development of attached dwellings at a density of 2.5 units per acre.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 356, 1985. This proposal appropriates \$23,424 for the Air Pollution Control Division for training and retaining qualified personnel. Councillor West explained that last year the City-County Council consented to raise salaries of certain employees of the Air Pollution Control Division to the city guidelines. These funds were taken out of salaries and placed into contractual services and the Department of Public Works is asking that the funds be moved back. The Public Works Committee on July 11, 1985, recommended Proposal No. 356, 1985, Do Pass by a vote of 3-0. The President called for public testimony at 8:02 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Journey for adoption. Proposal No. 356, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

5 NOT VOTING: *Curry, Dowden, Howard, Nickell, Page*

Proposal No. 356, 1985, was retitled FISCAL ORDINANCE NO. 67, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 67, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twenty-three Thousand Four Hundred Twenty-four Dollars (\$23,424) in the Consolidated County Fund for purposes of the Department of Public Works, Air Pollution Control Division and reducing certain other appropriations for that division and the unappropriated and unencumbered balance in the Consolidated County Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating increased permit revenues for training and retaining qualified personnel.

SECTION 2. The sum of Twenty-three Thousand Four Hundred Twenty-four Dollars (\$23,424) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations and the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PUBLIC WORKS	
AIR POLLUTION CONTROL DIVISION	CONSOLIDATED COUNTY FUND
1. Personal Services	<u>\$23,424</u>
TOTAL INCREASE	\$23,424

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF PUBLIC WORKS	
AIR POLLUTION CONTROL DIVISION	CONSOLIDATED COUNTY FUND
3. Other Services & Charges	\$ 3,054
Unappropriated and Unencumbered	
Consolidated County Fund	<u>20,370</u>
TOTAL REDUCTION	\$23,424

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 374, 1985. This proposal appropriates \$1,893,059 for the Division of Employment and Training for the Summer Youth Program. Councillor Coughenour explained that these are additional funds to be used this year. The Private Industry Council is continuing to enroll participants in the

program in accordance with the new funds available. The Division anticipates to employ approximately 2,000 additional youths. The Administration Committee on July 15, 1985, recommended Proposal No. 374, 1985, Do Pass by a vote of 4-0. The President called for public testimony at 8:11 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Howard for adoption. Proposal No. 374, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Curry, Dowden

Proposal No. 374, 1985, was retitled FISCAL ORDINANCE NO. 68, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 68, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional One Million Eight Hundred Ninety-three Thousand Ninety-five Dollars (\$1,893,095) in the Manpower Federal Programs Fund for purposes of the Department of Administration, Employment and Training Division and reducing the unappropriated and unencumbered balance in the Manpower Federal Programs Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for the Summer Youth Program and prior year unexpended or rollover funds.

SECTION 2. The sum of One Million Eight Hundred Ninety-three Thousand Ninety-five Dollars (\$1,893,095) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

**DEPARTMENT OF ADMINISTRATION
EMPLOYMENT AND TRAINING DIVISION**

MANPOWER FEDERAL PROGRAMS FUND

1. Personal Services	\$ 782,303
3. Other Services & Charges	<u>1,110,792</u>
TOTAL INCREASE	\$1,893,095

4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF ADMINISTRATION

EMPLOYMENT AND TRAINING DIVISION

MANPOWER FEDERAL PROGRAMS FUND

Unappropriated and Unencumbered

Manpower Federal Programs Fund

\$1,893,095

TOTAL REDUCTION

\$1,893,095

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 342, 1985. This proposal approves a petition for transfer of territory within the Consolidated City to the excluded City of Beech Grove. Councillor Borst reported that the Willow Glen Apartments, Phase II, owns 3.746 acres of land within the boundaries of Beech Grove and is requesting that the additional 20.405 acres involved in the Project be annexed. The City of Beech Grove is in favor of this proposal. Mr. Gene Valanzano, planner with the Department of Metropolitan Development, stated that the Department reviews these on a case by case basis, and the Department supports this request. Consultants from the various departments investigated the potential impact on the Consolidated City, and the conclusion drawn is that public services will only be slightly or not affected by the proposed disannexation. The Metropolitan Development Committee on July 17, 1985, recommended Proposal No. 342, 1985, Do Pass by a vote of 5-0. Councillor Borst moved, seconded by Councillor Coughenour for adoption. Proposal No. 342, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Curry, Nickell

Proposal No. 342, 1985, was retitled GENERAL ORDINANCE NO. 46, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 46, 1985

A GENERAL ORDINANCE approving a petition for transfer of territory within the Consolidated City to the excluded City of Beech Grove.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The petition for transfer of certain territory described in Section 2 from the Consolidated City to the excluded City of Beech Grove is hereby approved.

SECTION 2. Sec. 2-10 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended as follows:

(a) The words and figures "Indiana Code 18-4" are deleted and the words and figures "IC 36-3.. is inserted in lieu thereof; and

(b) A new paragraph (2) is inserted to read as follows:

(2) Disannexation to Beech Grove:

PHASE I

Part of the Southwest Quarter of Section 33, Township 15 North, Range 4 East of the Second Principal Meridian in Perry Township, Marion County, Indiana, more particularly described as follows:

Commencing at the Southwest Corner of said Southwest Quarter; thence South 88 degrees 29'55" West on and along the South line of said Southwest Quarter, and the South line of a Tract of land conveyed to the Consolidated City of Indianapolis by Deed recorded in the Office of the Recorder of Marion County as Instrument No. 83-14303 a distance of 1232.75 feet to a point, said point being the Southwest corner of aforesaid tract of land; thence North 01 degrees 30'05" West a distance of 50.00 feet to the POINT OF BEGINNING; said point also being the Northwest corner of aforesaid tract of land; ALSO, said point being the Southeast corner of a tract of land conveyed to Faith United Church of Christ by Deed recorded in the Office of the Recorder of Marion County as Instrument No. 79-24465; ALSO, which point is the Southwestern most corner of a tract of land conveyed to Willow Glen Apartments, an Indiana Limited Partnership, by Deed recorded in the Office of the Recorder of Marion County as Instrument No. 82-38541; (the following two (2) courses are along the common boundary line of said Faith United Church of Christ and Willow Glen Apartments); thence North 01 degrees 30'05" West a distance of 370.00 feet; thence South 88 degrees 29'55" West parallel to the South line of said Southwest Quarter a distance of 120.00 feet to a point, said point being the Southeast corner of a tract of land conveyed to Willow Glen Apartments, Phase II, an Indiana Limited Partnership of Marion County by Deed recorded in the Office of the Recorder of Marion County as Instrument No. 85-31689; (the next two (2) courses are along an East and a South boundary line of said tract of land); thence North 01 degrees 30'05" West a distance of 423.05 feet; thence North 88 degrees 29'55" East parallel with the South line of said Southwest Quarter a distance of 275.32 feet to a point on a line 1100 feet West of and parallel with the East line of said Southwest Quarter, said line being the existing Corporation Limits of City of Beech Grove, the description of which is recorded in the Office of the Recorder of Marion County as a part of Instrument No. 69-65580; thence South 00 degrees 03'35" West on and along said line a distance of

793.35 feet to a point, said point being on the South line of aforesaid Willow Glen Apartments and the North line of aforesaid Tract Deeded to the Consolidated City of Indianapolis; thence South 88 degrees 29'55" West on and along said South and North line and parallel with the South line of said Southwest Quarter a distance of 133.70 feet to the point of beginning, containing 3.7964 Acres (165,371.1840 Square Feet) more or less.

PHASE II

A part of the Southwest Quarter of Section 33, Township 15 North, Range 4 East of the Second Principal Meridian in Perry Township, Marion County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of said Southwest Quarter; thence South 00 degrees 03'35" West along the East line of said Southwest Quarter a distance of 1999.40 feet to a point, said point being the Southeast corner of a tract of land conveyed to School, City of Beech Grove, as recorded in the Office of the Recorder of Marion County, as Instrument No. 76-23217 and also, the Northeast corner of a tract of land conveyed to Willow Glen Apartments, an Indiana Limited Partnership, by Deed recorded in the Office of the Recorder of Marion County as Instrument No. 82-38541; the next two (2) courses are along the common boundary line of said School, City of Beech Grove and Willow Glen Apartments; thence North 90 degrees 00'00" West a distance of 973.58 feet; thence North 00 degrees 03'35" East parallel with the East line of said Southwest Quarter a distance of 160.00 feet to a Southeast corner of a Tract of land conveyed to Willow Glen Apartments - Phase II, An Indiana Limited Partnership of Marion County, by Deed recorded in the Office of the Recorder of Marion County, as Instrument No. 85-31689; thence South 88 degrees 29'55" West parallel with the South line of said Southwest Quarter and along the North boundary line of said Willow Glen Apartments and a South line of said Willow Glen Apartments - Phase II, a distance of 126.47 feet to the POINT OF BEGINNING; thence continuing South 88 degrees 29'55" West along a common boundary of said Willow Glen Apartments and Willow Glen Apartments - Phase II, a distance of 275.32 feet to the Northwest corner of said Willow Glen Apartments; thence South 01 degrees 30'05" East a distance of 423.05 feet to a point on the North line of a tract of land conveyed to Faith United Church of Christ by Deed recorded in the Office of the Recorder of Marion County as Instrument No. 79-24465; thence South 88 degrees 29'55" West parallel with the South line of said Southwest Quarter and along said North line of Faith United Church of Christ a distance of 10.00 feet to the Southeast corner of a tract of land conveyed to Faith United Church of Christ by Deed recorded in the Office of the Recorder of Marion County as Instrument No. 83-64350; the following three (3) courses are along said tract of land; thence North 00 degrees 03'35" East parallel with the East line of said Southwest Quarter a distance of 50.00 feet; thence South 88 degrees 29'55" West parallel with the South line of said Southwest Quarter a distance of 295.00 feet; thence South 00 degrees 03'35" West parallel with the East line of said Southwest Quarter a distance of 50.00 feet to a point, said point being the Southwest corner of said tract of land and a point on the aforesaid North line of a tract of land conveyed to Faith United Church of Christ; thence South 88 degrees 29'55" West parallel with the South line of said Southwest Quarter a distance of 328.83 feet to the Northwest corner of said tract of land and also a point on the East line of Hilton Manor, First Section, an Addition to the City of Indianapolis as recorded in the Office of the Recorder of Marion County in Plat Book 30, Page 245; thence North 00 degrees 00'00" East along said East line Hilton Manor, First Section and the East line of land conveyed to Bethany Christian Church by Deed recorded in the Office

of the Recorder of Marion County as Instrument No. 67-47833 a distance of 961.03 feet to the Southwest corner of a tract of land conveyed to Redfern Hills Realty Company by Deed recorded in the Office of the Recorder of Marion County as Instrument No. 72-14558; thence North 90 degrees 00'00" East along said South line of said Redfern Hills Realty Company and the South line of a tract of land conveyed to Hall Country Squire Associates by Deed recorded in the Office of the Recorder of Marion County as Instrument No. 81-56056 a distance of 898.29 feet to a point on a line 1000 feet West of and parallel with the East line of the said Southwest Quarter, said line being the existing Corporation Limits of the City of Beech Grove, the description of which is recorded in the Office of the Recorder of Marion County as a part of Instrument No. 69-65580; thence South 00 degrees 03'35" West on and along said Corporation line a distance of 514.31 feet to the point of beginning, containing 16.6086 Acres (723,470.6160 Square Feet), more or less.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 347, 1985. This proposal transfers \$500 for Superior Court, Civil Division, Room Five to purchase equipment. Councillor Dowden explained that these funds are to purchase a four-drawer filing cabinet for court files and a typewriter with memory capability. There have been excessive maintenance problems with the courts old equipment, and future maintenance contracts would be very costly. After May 31, 1985, certain IBM models would not be accepted for trade-in. The Public Safety and Criminal Justice Committee on June 26, 1985, recommended Proposal No. 347, 1985, Do Pass by a vote of 8-0. Councilor Dowden moved, seconded by Councillor Rader for adoption. Proposal No. 347, 1985 was adopted on the following roll call vote; viz:

24 AYES: *Borst, Bradley, Campbell, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Holmes, Howard, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

5 NOT VOTING: *Boyd, Clark, Curry, Hawkins, Journey*

Proposal No. 347, 1985, was retitled FISCAL ORDINANCE NO. 69, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 69, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Five Hundred Dollars (\$500) in the County General Fund for purposes of the Marion County Superior Court, Civil Division, Room Five and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(18) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds to purchase equipment.

SECTION 2. The sum of Five Hundred Dollars (\$500) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

MARION COUNTY SUPERIOR COURT,
CIVIL DIVISION, ROOM FIVE

COUNTY GENERAL FUND

4. Capital Outlay
TOTAL INCREASE

\$500
\$500

SECTION 4. The said increased appropriation is funded by the following reductions:

MARION COUNTY SUPERIOR COURT,
CIVIL DIVISION, ROOM FIVE

COUNTY GENERAL FUND

3. Other Services & Charges
TOTAL REDUCTION

\$500
\$500

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 362, 1985. This proposal changes parking controls on a portion of Senate Avenue. Councillor Gilmer stated that Proposal No. 362, was amended to change the on-street parking regulations on the west side of Senate Avenue in front of the Alpha Home for Aged Men and Women. This was requested to facilitate the movement of emergency vehicles in front of the building. The Transportation Committee on July 17, 1985, recommended Proposal No. 362, 1985, Do Pass As Amended, by a vote of 5-0. Councillor Gilmer moved, seconded by Councillor Hawkins for adoption. Proposal No. 362, 1985, as amended, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

3 NOT VOTING: Clark, Curry, Journey

Proposal No. 362, 1985, as amended, was retitled GENERAL ORDINANCE NO. 47, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 47, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-268, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following:

Senate Avenue, on the west side, from a point 431 feet south of Senate Boulevard to a point 582 feet south of Senate Boulevard.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 373, 1985. This proposal appoints Ted Robinette to the Equal Opportunity Advisory Board. Councillor Coughenour stated that Mr. Robinette is an attorney in town and could not attend the committee meeting due to a jury trial, but that he is a good member of the Equal Opportunity Advisory Board and did wish to be reappointed. The Administration Committee on July 15, 1985, recommended Proposal No. 373, 1985, Do Pass by a vote of 3-0. Councillor Coughenour moved, seconded by Councillor Holmes for adoption. Proposal No. 373, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Boyd, Campbell, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, McGrath, Miller, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

5 NOT VOTING: *Bradley, Clark, Curry, Journey, Nickell*

Proposal No. 373, 1985, was retitled **COUNCIL RESOLUTION NO. 16, 1985**, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 16, 1985

A COUNCIL RESOLUTION appointing Ted Robinette to the Equal Opportunity Advisory Board.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. As a member of the Equal Opportunity Advisory Board the Council appoints:

TED ROBINETTE

SECTION 2. The appointee shall serve at the pleasure of the Council for a term of two (2) years, ending April 11, 1987, or until a successor is duly appointed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 377, 1985. This proposal authorizes the Sheriff's Department to exercise law enforcement authority in City Parks. Councillor Durnil explained that this proposal will help prevent court challenges when arrests are made by deputies in various city parks. Special deputies patrol most of the parks, and extra security is hired for some parks but Proposal No. 377 will allow the Parks Department to utilize other law enforcement agencies and exercise arresting powers as is necessary. The Parks and Recreation Committee did technically amend the proposal to delete the words "members of" and add the words "Marion County" in front of Sheriff's Department. The Committee on July 18, 1985, recommended Proposal No. 377, 1985, Do Pass As Amended, by a vote of 5-0. Councillor West pointed out that Proposal No. 377, as amended, did not read properly and the President requested that General Counsel review the amended version of Proposal No. 377 and offer his amendments later in the meeting.

PROPOSAL NO. 378, 1985. This proposal transfers \$1,000 for Superior Court, Civil Division, Room 1 to purchase equipment. Councillor Dowden stated that the funds will be used to purchase a Cannon word processor with a disk drive unit. The word processor will afford great time savings over the two regular typewriters currently being used. The Public Safety and Criminal Justice Committee on June 26, 1985, recommended Proposal No. 378, 1985, Do Pass by a vote of 8-0. Councillor Dowden moved, seconded by Councillor Giffin for adoption. Proposal No. 378, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Bradley, Campbell, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

1 NAY: *Boyd*

3 NOT VOTING: *Clark, Curry, Schneider*

Proposal No. 378, 1985, was retitled FISCAL ORDINANCE NO. 70, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 70, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating One Thousand Dollars (\$1,000) in the County General Fund for purposes of the Marion County Superior Court, Civil Division, Room 1 and reducing certain other appropriations for that division.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(14) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds to purchase equipment.

SECTION 2. The sum of One Thousand Dollars (\$1,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

MARION COUNTY, SUPERIOR COURT,
CIVIL DIVISION, ROOM 1

4. Capital Outlay
TOTAL INCREASE

COUNTY GENERAL FUND
\$1,000
<u>\$1,000</u>

SECTION 4. The said increased appropriation is funded by the following reductions:

MARION COUNTY SUPERIOR COURT,
CIVIL DIVISION, ROOM 1

3. Other Services & Charges
TOTAL REDUCTION

COUNTY GENERAL FUND
\$1,000
<u>\$1,000</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 379, 1985. This proposal establishes a Marion County Forensic Services Agency. Councillor Dowden explained that Proposal No. 379, 1985, evolved through a great deal of cooperation by all of the public safety agencies and when the Forensic Services Agency is full and operational it will be of great benefit. There is no money being appropriated in this proposal. The Public Safety and Criminal Justice Committee on July 10, 1985, recommended Proposal No. 379, 1985, Do Pass As Amended, by a vote of 7-0. The amendments were technical in nature and concerned the members of the board. Councillor Dowden

moved, seconded by Councillor Journey for adoption. Proposal No. 379, 1985, as amended, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Curry, Howard

Proposal No. 379, 1985, as amended, was retitled GENERAL ORDINANCE NO. 48, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 48, 1985

A GENERAL ORDINANCE creating the Indianapolis-Marion County Forensic Services Agency.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Chapter 2 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by adding a new Article XII to read as follows:

ARTICLE XII - INDIANAPOLIS-MARION COUNTY FORENSIC SERVICES AGENCY

Sec. 2-505. Definitions.

As used in this article, the following terms shall have the meaning ascribed to them:

- (a) Board means the Indianapolis-Marion County Forensic Services Board.
- (b) Director means the director of the forensic services agency.
- (c) FSA means the Forensic Services Agency of Indianapolis and Marion County.
- (d) Council means the City-County Council of Indianapolis and Marion County.
- (e) Subject Agencies means any and all law enforcement agencies, their officers, offices, boards and commissions which are funded either by the City of Indianapolis or Marion County.

Sec. 2-506. Board created; members; compensation.

(a) There is hereby created the Indianapolis-Marion County Forensic Services Board, which shall consist of the following persons, who shall be appointed for the following terms:

- (1) the Coroner;
- (2) the Sheriff;
- (3) the Auditor, who shall serve without a vote;
- (4) the Chief of the Indianapolis Police Department;

- (5) one person, appointed by the mayor, who shall have significant professional experience in forensic medicine, pathology, toxicology, serology, chemistry or other comparable discipline, to serve at the pleasure of the mayor. The mayor's appointee shall be appointed for an initial three-year term and thereafter for a two-year term.
- (6) One person, appointed by the council, to serve at the pleasure of the council. The council's appointee shall be appointed for a two-year term.
- (7) the prosecutor and the director of public safety, for a term of office ending not later than December 31, 1987.

(b) Board members shall serve in person or by a person permanently designated and without compensation.

(c) Board members shall be eligible for reappointment.

Sec. 2-507. Powers and duties of the board.

The board shall have the following powers and duties; provided, however, no power or duty herein prescribed shall in any way be permitted to derogate the powers, duties or responsibilities of any elected official:

- (a) to determine the means of financing any forensic services, subject to the approval of the council where applicable, and to fix rates and formulas for invoicing non-subject agencies for forensic services rendered;
- (b) to develop, maintain and communicate forensic services policies and administrative procedures for the agency;
- (c) to recommend to the mayor a director for the forensic services agency, subject to the approval of the council, who shall serve at the pleasure of the mayor, and who shall have such additional duties as established herein;
- (d) to promulgate rules and regulations for the efficient administration of its policies and procedures for all subject agencies;
- (e) to review all budgets prepared by the agency and recommend to the city-county council any revisions the board feels desirable;
- (f) to approve the award and amendment of contracts let by the agency as follows:
 - 1. contracts for the lease or purchase of capital equipment or other property if such lease or purchase is required to be bid under I.C. 36-1-9;
 - 2. contracts for acquisition and lease of real estate;
 - 3. contracts for public construction which must be bid under I.C. 36-1-12;
- (g) to approve the employment of persons engaged by the agency by contract to render professional or consulting services;
- (h) to delegate any functions to the director, subject to review by the board.

Sec. 2-508. Officers, quorum; meetings.

(a) The officers of the board shall consist of a chairman and a secretary, one of whom shall be a county elected official, and the other a city officer. The chairman shall be elected by the board at its first meeting and annually thereafter. The secretary shall be elected by the board. All agreements, contracts, resolutions and official communications of the board shall be in writing and be executed by these officers upon being authorized by motion passed by the board by simple majority vote of its members present.

(b) A quorum of the board for official action shall consist of four (4) voting members, and the board may not transact any official business in the absence of a quorum.

(c) The secretary shall be the recording officer of the board, and shall be responsible for keeping the official minutes of all meetings.

(d) the board shall establish a meeting schedule and may meet at such times and places as may be needed in special session called by the chairman for a particular purpose. All meetings, whether regular or special, shall be open to the public. No official action may be taken by the board except at a public meeting, whether regular or special. Board members may confer from time to time in executive session pursuant to IC 5-14-1.5-6.

Sec. 2-509. Director; qualification; responsibilities.

(a) The mayor shall appoint a director, recommended by the board, subject to approval by the council, who shall serve at the pleasure of the mayor. The director shall have such qualifications and experience as set by the board. The director shall meet with the board as a nonvoting member.

(b) The director shall be the chief administrator of the forensic services agency (FSA) and shall have the following duties:

1. to supervise and coordinate the activities of sections with the agency;
2. to oversee the daily operations of the agency;
3. to prepare and submit the agency's budget to the county auditor as required by IC 36-3-6-4;
4. to appoint deputies or assistants as necessary;
5. to approve the hiring and dismissal of personnel of the agency subject to the limitations prescribed by law in Sec. 3-3(c) of this Code;
6. to manage the personnel of the agency;
7. to delegate to the personnel of the agency authority to act on his behalf;
8. to execute contracts subject to the authority of the board, the Mayor and any other limitations prescribed by law;

(c) The director shall have the authority and responsibility to act for the board in its name on a daily operational basis when the board is not in session, but all such action shall be subject to the review of the board.

Sec. 2-510. Forensic Services Agency created.

There is created the Forensic Services Agency (FSA) which shall be under the policy supervision of the Indianapolis-Marion County Forensic Services Board through the director. FSA Shall be the functional operating forensic services facility for such agencies, departments, and divisions of local government as the board may prescribe. The board shall approve the organization of FSA along such lines as are consistent with principles of good management and the provisions of this article. FSA shall operate in accordance with the personnel policies and procedures established by the Central Personnel Division pursuant to Sec. 3-3(c) of this Code, and in accordance with Chapter 23 of this Code.

Sec. 2-511. Agency duties and responsibilities.

(a) FSA shall be responsible for the supervision, management, and operation of the county's criminal forensic scientific laboratory.

(b) FSA shall provide subject law enforcement agencies with forensic laboratory services, including scientific testing, identification evaluation, firearms identification, ballistics, authenticating documents, polygraph examinations, tool and die mark comparisons, photography, video and laser techniques, and evidence recovery. FSA shall furnish expert testimony in these areas if requested by subject agencies.

Sec. 2-512. Duties of director with respect to agency.

FSA shall be managed and supervised by the director. The director will be responsible for the planning, organization and management of FSA, within organization plans and policies approved by the board.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 382, 1985. This proposal changes parking controls on a portion of 11th Street. Councillor Gilmer stated that this will allow parking on both sides of 11th Street between Senate and Capital. This proposal was amended by the Transportation Committee. The original proposal allowed parking except between the hours of 3:00 p.m. and 6:00 p.m. The Transportation Committee on July 17, 1985, recommended Proposal No. 382, 1985, Do Pass As Amended by a vote of 5-0. Councillor Gilmer moved, seconded by Councillor Hawkins for adoption. Proposal No. 382, 1985, as amended, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Cottingham, Curry

Proposal No. 382, 1985, as amended, was retitled GENERAL ORDINANCE NO. 49, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 49, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the deletion of the following, to wit:

Eleventh Street, on the both sides, from the Penn-Central Railroad to Capitol Avenue.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 383, 1985. This proposal changes intersection controls at North Catherwood Avenue and Windsor Drive. Councillor Gilmer explained that Councillor Stewart introduced this proposal in response to the neighborhood group in this area. There have been several accidents at this intersection and Proposal No. 383, 1985, will change the control from a two-way stop to a four-way stop. The Transportation Committee on July 17, 1985, recommended Proposal No. 383, 1985, Do Pass by a vote of 5-0. Councillor Gilmer moved, seconded by Councillor Stewart for adoption. Proposal No. 383, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

3 NOT VOTING: *Curry, Nickell, Schneider*

Proposal No. 383, 1985, was retitled GENERAL ORDINANCE NO. 50, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 50, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>REFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 6	N. Catherwood Ave. & Windsor Dr.	Windsor Dr.	STOP

26, Pg. 6 N. Catherwood Ave. & N. Catherwood Ave. STOP
 E. 24th St.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 6	N. Catherwood Ave. & Windsor Dr.		4-WAY STOP
26, Pg. 6	N. Catherwood Ave. & E. 24th St.		4-WAY STOP

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 388, 1985. This proposal amends performance bond requirements in the ordinance regulation construction activities in the right-of-way. Councillor Gilmer explained that Proposal No. 388 will reduce the amount of bond for contractors and agencies from \$100,000 to \$10,000 for multiple cuts. The Transportation Committee on July 17, 1985, recommended Proposal No. 388, 1985, Do Pass by a vote of 5-0. Councillor Gilmer moved, seconded by Councillor Cottingham. Proposal No. 388, 1985, was adopted on the following roll call vote; viz:

23 AYES: *Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Dowden, Giffin, Gilmer, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*
 NO NAYS
 6 NOT VOTING: *Borst, Clark, Curry, Durnil, Hawkins, Strader*

Proposal No. 388, 1985, was retitled GENERAL ORDINANCE NO. 51, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 51, 1985

A GENERAL ORDINANCE concerning the Right-of-way Activities Ordinance.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
 CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Section 1 of G.O. 24, 1985, as passed by the City-County Council on March 28, 1985, is hereby amended by deleting the language crosshatched and inserting the language underscored to read as follows:

Sec. 28-323. Duties and responsibilities of the transportation board.

(a) The Transportation Board ("Board") shall, in accordance with the procedures specified in subsection (b) of this Sec. 28-323, adopt regulations deemed necessary and appropriate in order for the Board and the DOT to carry out their duties and responsibilities under this Article, including, but not limited to, regulations establishing:

- (1) standards for traffic controls for construction and maintenance operations or activities in, on, under and over the public rights-of-way containing streets dedicated to and accepted by the City, which standards shall be designed to protect members of the public using such public rights-of-way and to be consistent, to the extent practicable, with the "Indiana Manual on Uniform Traffic Control Devices", the "Indiana State Highway Standard Specifications, 1985 Edition", and all other State and Federal statutes, recognizing, however, that traffic controls for projects within public rights-of-way subject to the jurisdiction of the DOT may be less stringent than the traffic controls required in connection with work on State or Federal highways where traffic will be traveling at much greater speeds;
- (2) restrictions with respect to when and how work should be performed in public rights-of-way containing streets dedicated to and accepted by the City in certain geographical areas, such as the area around Monument Circle, Hoosier Dome and Convention Center or in areas during times when special events, such as the 500 Mile Race and State Fair, are being held;
- (3) time periods when work in, under, on or over public rights-of-way containing streets dedicated to and accepted by the City should, except in cases of emergencies, be prohibited, such as during rush hours;
- (4) minimum standards for compaction or deflection testing or both; ~~and~~
- (5) a schedule of fees for the enforcement of the provisions of this Article or the regulations duly adopted by the Board and
- (6) standards for requiring additional bonding or insurance for single cuts with an area in excess of 100 square feet.

(b) Before any regulation is adopted by the Board pursuant to this Sec. 28-323, the Board shall cause a notice to be published in at least two (2) newspapers of general circulation printed and published in Marion County, Indiana at least twenty-one (21) days prior to the date set for a hearing on the proposed regulation. Said notice shall include a statement of the time and place of said hearing, a reference to the subject matter of the proposed regulation or regulations and refer to the fact that a copy of said regulation or regulations is on file in the office of the Board where it may be examined. At the same time said notice is sent to the newspapers for publication, a copy thereof shall be mailed to each public utility serving in Marion County. At least five (5) copies of said proposed regulation or regulations shall be on file at the office of the Board from the date of the first publication of said notice continuously until the said hearing and any interested person shall be given an adequate opportunity to examine a copy of said proposed regulation or regulations. On the date set for hearing, any interested party in person or by attorney shall be afforded an adequate opportunity to participate in the formulation of the proposed regulation or regulations through the presentation of facts or argument or the submission of written data or

views. All relevant matter presented shall be given full consideration by the Board. If the Board, following the hearing and consideration and all relevant matter presented, adopts the regulation or regulations, either as proposed or as proposed with modifications or amendments, the regulation or regulations adopted by the Board shall be submitted to the Corporation Counsel of the City for his approval as to legality. When the regulation or regulations have been approved by the Corporation Counsel of the City, the regulation or regulations shall be filed with the clerk of the Council for publication. The regulation or regulations shall become effective thirty (30) days after the date filed with the clerk of the Council, unless the council prior thereto amends the regulations or suspends their effective date. If the Board desires to repeal, rescind or amend any regulation adopted by it, the same procedure shall be followed as prescribed herein for adoption of a regulation.

(c) The Transportation Board, in cooperation with the Department of Transportation, shall establish a program pursuant to which instruction shall be provided to individuals who will be making, restoring or inspecting excavations in public right-of-way. Said program will consist of instruction concerning the proper methods of making and restoring excavations as set forth in this Article. The instruction program shall be conducted by competent individuals who are not individuals who will be making, restoring or inspecting excavations in the public rights-of-way in accordance with this Article. The cost associated with such instructional program shall be recovered as admission fees from those individuals attending such program. Persons attending and satisfactorily completing such instructional program shall receive a certificate to that effect. The instruction program established pursuant to this paragraph shall be implemented so that the first instruction program is conducted within ninety (90) days following the effective date of this ordinance. The program shall be offered at such frequencies so as to ensure that all individuals who will be making, restoring and inspecting excavations in the public rights-of-way after September 1, 1985, will be able to attend and complete the instructional program by that date. All DOT inspectors shall be required to attend the instructional program.

(d) There may be circumstances where it will be appropriate for the Board to grant a temporary exception or a permanent variance from either the standards established by this Article or the provisions of the regulations adopted by the Board. The Board should only grant exceptions or variances which it determines would be consistent with public safety and interest, would not frustrate the intent and policies expressed by this Article or the Board's regulations and would not endanger the traveling public using the public rights-of-way. The procedure concerning exceptions or variances shall be as follows:

- (1) Any person or entity subject to the provisions of this Article or the regulations adopted by the Board may submit a written application to the Board requesting a temporary exception or a permanent variance from a specific minimum standard established by this Article or a provision of a regulation adopted by the Board, setting forth the reasons why the exception or variance should be granted. Copies of the application shall also be provided to the Director of the DOT and to the Permit Section of the DOT.
- (2) The Board shall consider said application at its next regularly scheduled meeting held more than seven (7) days following receipt of the application and, by written order, grant said application if it determines that such action would be consistent with the public safety and interest, would not frustrate the intent and policies expressed by this Article or the Board's regulations and would not endanger the traveling public using the public rights-of-way. The Board may prescribe alternative measures to be used in lieu of those from which it granted

an exception or variance. If the Board denies the application, it shall set forth in its order the reasons for the denial. The order granting or denying the application shall be mailed to the applicant by certified mail, return receipt requested.

- (3) If the exception or variance is approved by the Board, the Board shall certify its order to the Clerk of the Council. The exception or variance shall become effective thirty (30) days thereafter, unless the Transportation Committee of the Council shall reject or modify the order of the Board.
- (4) Exceptions or variances granted by the Board may be revoked by the vote of a majority of the Board upon finding after notice and hearing, that the person or entity granted the exception or variance is violating the terms of the Board's order granting the exception or variance or that the action of such person or entity pursuant to the exception or variance unreasonably jeopardizes the public safety or interest. The revocation of an exception or variance shall not affect the validity of any other exception or variance in effect for that person or entity.

Sec. 28-325. Application for right-of-way excavation permit.

(a) Application. The application for a right-of-way excavation permit shall be submitted to the Permit Section of the Department of Transportation and shall include the following:

- (1) a properly executed permit application, in the form designated by the department, including but not limited to, the following information:
 - (A) the name and address of the applicant;
 - (B) the name and address of the person performing the work to be done in the right-of-way, if other than the applicant;
 - (C) the nature of, and the reason for, the work to be performed;
 - (D) the location of the worksite and the dimensions of the excavation;
 - (E) the anticipated length of time to complete the work;
 - (F) the method of traffic control to be used by the applicant at the worksite;
 - (G) any other pertinent information requested by the department of transportation; and
 - (H) after September 1, 1985, certification that the work to be performed under the right-of-way excavation permit will be under the supervision of a person who has attended and satisfactorily completed the instructional program established pursuant to Sec. 28-323 (c).
- (2) a general liability insurance policy as described in subsection (c), unless the applicant is a public utility or already has a statement of insurance on file;
- (3) a performance or maintenance bond as specified in subsection (d), unless the applicant is a public utility;
- (4) an indemnification agreement as specified in subsection (e), unless the applicant is a public utility and already has an approved indemnification agreement on file; and
- (5) written approval from the department of public works as specified in subsection

(f), if the proposed work involves a sanitary sewer, storm sewer, or affects drainage within the public right-of-way.

(b) Permit fee. A permit fee of forty dollars (\$40.00) for a single cut shall be paid when application is submitted and is not refundable. Additional cuts on a new multiple-cut permit shall require an additional payment of twenty dollars (\$20.00) per cut.

(c) General liability insurance policy. The applicant shall either file or have on file with the City of Indianapolis a general liability insurance policy. The statement of insurance shall be on file with either the Division of Development Services of the Department of Metropolitan Development or the DOT Permit Section. The insurance company shall be licensed to do business in the State of Indiana. The amount of insurance shall be not less than five hundred thousand dollars (\$500,000.00) for injury to one person and not less than one million dollars (\$1,000,000.00) for injuries to more than one person and not less than two hundred fifty thousand dollars (\$250,000.00) for damages to property. The insurance policy shall have a Rider attachment for all listed general contractors to be covered on right-of-way excavation permit.

(d) Performance bond. The performance bond posted with respect to each permit shall not be released until an approved inspection is received on the restoration of the public right-of-way. The applicant shall either file or have on file with either the Division of Development Services of the Department of Metropolitan Development or the DOT Permit Section a performance/maintenance bond. The company writing the bond shall be licensed to do business in the State of Indiana. The bond shall be in the penal amount of not less than ten thousand dollars (\$10,000.00) for ~~additional cuts~~ unlimited multiple street cuts in any year. The bond shall continue to be in effect for a duration of (3) years no less than one (1) year from the date of final inspection. The Transportation Board may, by regulation, require an additional performance bond prior to the issuance of a permit for any single cut with an area in excess of 100 square feet.

(e) Indemnification agreement form. The applicant for a right-of-way excavation permit shall either file or have on file with either the Division of Development Services of the Department of Metropolitan Development or the Permit Section of the DOT an indemnification agreement in which the applicant agrees to indemnify and hold harmless the City from and against all claims, actions, damages and expenses, including reasonable attorneys' fees, based on any alleged injury (including death) to any person or damage to any property arising, or alleged to have arisen out of any act of commission or omission with respect to the activity or work of the applicant (or persons, corporations or firms authorized by the applicant) in a public right-of-way subject to the City's jurisdiction pursuant to a right-of-way excavation permit issued by the DOT.

(f) Drainage approval. The applicant for a right-of-way excavation permit shall submit a letter or form of approval from the Department of Public Works with the application when the proposed work involves a sanitary sewer, storm sewer or affects drainage within a public right-of-way. The permit holder shall be responsible for maintaining adequate drainage flow during and after the work authorized by the right-of-way excavation permit.

(g) Exemptions. The requirements of subsections (b), (c), (d) and (e) shall not

apply to applications on behalf of the Departments of Transportation or Public Works, if the work is to be performed by city employees.

SECTION 2. (a) The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

(b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 377, 1985. This proposal authorizes the Sheriff's Department to exercise law enforcement authority in City Parks. Mr. Elrod, General Counsel, offered the following language change:

~~the Indianapolis Police, the Marion County Deputy Sheriffs, the Departments, state law enforcement officers,~~

Councillor Rhodes moved, seconded by Councillor Journey, the above mentioned amendment. The motion passed by a unanimous voice vote.

Councillor Durnil moved, seconded by Councillor Rhodes, for adoption. Proposal No. 377, 1985, as amended, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

3 NOT VOTING: Clark, Curry, Nickell

Proposal No. 377, 1985, as amended, was retitled GENERAL ORDINANCE NO. 52, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 52, 1985

A GENERAL ORDINANCE amending the Code concerning law enforcement responsibility in the Department of Parks and Recreation parks.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Sec. 22-21 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by inserting the language underscored and deleting the language crosshatched to read as follows:

Sec. 22-21. Enforcement of this chapter.

The board of parks and recreation, the director of parks and recreation, park superintendents, recreation supervisors, park police, ~~the Indianapolis Police, Marion County Deputy Sheriffs, state law enforcement officers, and all health~~ Indianapolis Police, Marion County Deputy Sheriffs, state law enforcement officers, ~~and all health~~ authorities, all health authorities and the custodians and other employees of the department of parks and recreation holding special police powers are authorized and empowered to enforce any and all provisions of this chapter and laws of the state and city in all places under the control of the department of parks and recreation.

SECTION 2. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected if, and only if, such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL SERVICE DISTRICT COUNCILS

There being no business before any of the Special Service District Councils, none of the Special Service District Councils convened.

NEW BUSINESS

President SerVaas passed the gavel to Vice President Miller and reported to the Council that another Grand Jury Report had been filed regarding the deplorable conditions of the Juvenile Detention Center. The Prosecutor stated that this Grand Jury was more upset than the last one; and if someone could have been

indicted this time, they would have indicted someone. He suggested that an Ad Hoc Committee of the Council be formed to investigate this matter and report back with their findings and suggestions.

Councillor Nickell, a member of the Juvenile Detention Advisory Board, stated that the Advisory Board has been trying for some time to get improvements made, and it was not until a mandate from the Fire Marshall did anything even start to change. She went on to give her support for the Ad Hoc Committee and volunteered to serve on it.


President SerVaas asked that all Councillors interested in serving on this Ad Hoc Committee to corresponde with him and he would proceed as soon as possible.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business and upon motion duly made and seconded, the meeting adjourned at 9:05 p.m.

We hereby certify that the above and foregoing is full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and the Indianapolis, Police, Fire and Solid Waste Collection Special Service District Councils on the 22nd day of July, 1985.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.


President


Clerk of the City-County Council

ATTEST:

(SEAL)

A

**MINUTES OF THE CITY-COUNTY COUNCIL
AND SPECIAL SERVICE DISTRICT COUNCILS
OF INDIANAPOLIS, MARION COUNTY, INDIANA**

REGULAR MEETINGS - MONDAY, AUGUST 5, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:17 p.m., on Monday, August 5, 1985, with Councillor SerVaas presiding.

The meeting was opened with a prayer and the Pledge of Allegiance to the Flag by Councillor Carlton Curry.

ROLL CALL

Councillor SerVaas instructed the Clerk to take the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

ABSENT: Page

Twenty-eight members being present, he announced a quorum was present.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Strader introduced the Rocky Shore Gospel Singers. Councillor Miller recognized members of the Homecroft Police Force.

OFFICIAL COMMUNICATIONS

President SerVaas explained that tonight the Council would see the introduction of the budget for 1986. As is usual Mayor William H. Hudnut, III and County Auditor Faye Mowery had requested to speak to the Council on this matter. The President recognized Mayor Hudnut, who delivered the following remarks:

"Mr. President, Mr. Majority Leader, Mrs. Minority Leader, Members of the City-County Council, Ladies and Gentlemen:

"As is my duty as Mayor of the City of Indianapolis, I stand before you this evening to present to you a budget proposal for the City of Indianapolis for 1986. The County Auditor, Mrs. Mowery, will follow with her proposals for the County Budget.

"Our City has had a very exciting past few years full of growth, improving job opportunities, and an expanding national image. An example of this came across my desk recently when I received a copy of a speech delivered by Dr. John Keane, Director of the Census Bureau, at the U.S. Conference of Mayors meeting in June. His favorable reference to Indianapolis deserves our note:

"Indianapolis is another example of what progress cooperation can accomplish. The 1970 City-County consolidation paved the way. First, though, there was a leadership consolidation. The consistent and close cooperation among government, business, labor and academe propels this city forward. Rising above its rust-belt roots and years of visitors' snide comments, Indianapolis is making enviable progress essentially through private investment blended with public spirit. Who else puts up a domed stadium on spec? Indianapolis: John Gunther should see you now. He'd have to recant those dreary references in his 1947 book, *Inside USA*."

"If we are going to continue growing, we will have to do three things: 1. Budget responsibly, be cost conscious and not spend money we do not have; 2. Promote a partnership philosophy between the public and private sectors that results in continuing economic vitality; and 3. Diversify our tax sources, tie them more closely to where the growth is occurring and thereby reduce the burden on the taxpayer.

"The budget we are submitting to you tonight for the City is a funded budget. the local government services, protections and benefits promised in this budget

are paid for. This budget represents the kind of responsible financial policies that Indianapolis has become known for in national circles, where our bond rating is very high and we are highly regarded for our annual financial reports, having received for several years now a certificate of conformance from the Governmental Finance Officers Association of the United States and Canada. Earlier this year, our policies also gained our City national recognition when the U.S. Advisory Commission on Intergovernmental Relations named Indianapolis as one of only two major cities in the United States where spending did not exceed revenues at any time during the last decade.

"For 1986, we are proposing an increase of only about \$500,000 in operating funds over our current levels. that is an increase of less than two tenths of one percent! This has not been an easy budget to piece together, and I am grateful for the efforts that have been made to hold the line and present to you as lean a budget as possible.

"The overall budget that we propose for next year would be up just about 1%, with a total dollar figure of \$364.2 million, compared to this year's total of \$360.5 million. Once again, as in previous years, the increase we are seeking is well below the inflation rate. That is a significant accomplishment in my opinion. It continues a trend where the cost of running government in Indianapolis has taken smaller increases than other costs of living. Over the past ten years, the City property tax rate has gone up only about half as fast as the inflation rate.

"Some of the individual increases in this year's budget are significant.

"Total City personal services are scheduled in this budget to rise less than 5% (4.88 to be exact).

"The building fees in DMD will have to go up next year. They have not been raised since 1979, while in that same period, the construction index has gone up 36%.

"This budget reflects the incorporation of the Housing Authority into DMD, but that consolidation is in keeping with your mandate, and the game plan we have agreed upon to create greater efficiency and accountability in the Housing Authority in the long run.

"The State Legislature in its last session provided local government with new motor fuel tax revenue, and our DOT budget includes \$7.9 million from that source.

"This budget will require a small increase to help cover the additional costs associated with the pick up and removal of trash. We actually were somewhat fortunate when recent bids for disposal and tipping services came in below what we expected, but our luck may well be running out. With the problems being faced at the Southside Landfill, it is more than probably that we will be facing continued escalating costs in getting rid of our trash, and we cannot afford to fall behind, even as we pursue resource recovery methods of disposal.

"We are also recommending that the heavy trash program be folded into the regular everyday pick up routine. When we began putting this budget together, it became clear that DPW would be facing a significant shortfall of about \$1,000,000 in the solid waste division. At the time, it appeared the only way to make up that shortage was to eliminate the City's separate heavy trash program which has been very popular and very worthwhile in keeping our community clean. After second and third looks at the situation, a proposal was arrived at which many people consider an increase in service, rather than the seemingly unavoidable decrease. A new program has now been negotiated, which, upon your approval, will turn the heavy trash pick up service into a once a month regular occurrence without having to make special scheduling arrangements. The result will be more heavy trash service, at considerably less cost.

"We are also recommending, although it is outside of the budget, that an ordinance be prepared, heard, and hopefully passed, that will terminate the free dumping privileges on Saturdays at the Belmont treatment plant. We believe that trash brought in by cars and trucks should be handled at a modest fee. Such an ordinance is in the works, with a suggested fee of \$5 for trucks and \$2 for cars.

"Our City parks are one of our best resources for economic development because of the impact they have on the overall quality of life. But the overall quality of some of the department's equipment is sadly giving in to old age, and the maintenance program must be shored up in order to keep the parks strong. This budget also asks for an increase for the Department of Parks and Recreation, in

order to continue funding another important economic development tool which we have traditionally supported and nurtured--the arts. The arts organizations we help fund continue to provide diversity and character in an important way to Indianapolis and to our redevelopment. Imagine the block just north of Merchants Plaza without the IRT, or One North Capitol, or the Embassy Suites which followed. Imagine the eyesore of an old vacant theater on the circle and then think about the renewed interest in downtown with residents and visitors enjoying the sites while listening to the music. The arts are important to our economic development potential, and I hope you will continue to support them and our development strategy of leveraging amenities for economic development opportunities.

"I have pointed out on previous occasions that public safety is the first priority of our budgeting process. It is the last place to cut, the first to help, and the hardest to fund.

"For the first time since 1978, the Fire Department is purchasing some new fire trucks. These are necessary to replace worn out vehicles now in service.

"We anticipate the termination of the federal program known as revenue sharing in the near future. Ever since I have been in office this money has been dedicated to Public Safety. But we are going to lose that money within a year or so. How can we make it up? We must provide for it now, rather than go on spending it until it runs out and then wonder how to replace it. We are recommending that \$2.5 million of local option income tax monies, beyond what is programmed for the reduction in our pension fund liability, be appropriated in 1986 for a revenue sharing replacement fund, and that more be set aside next year for the 1987 budget. The Public Safety, which has relied on general revenue sharing for some \$10 million of help each year, will be whole, and we will have gotten over the hump of the loss of federal revenue sharing so that a shortage and resulting cutbacks will not occur. We think this funding plan will help us avoid service reductions and hope you will support it.

"I might also add that a recent U.S. Supreme Court decision requires that we begin paying overtime to police and firefighters in areas where we have traditionally provided compensatory time off. The effect of this ruling could add an additional \$1 million to the cost of public safety in 1986.

"So all added up, it appears that some three-quarters of our requested 8% increase in the property tax rate for 1986 will go to public safety.

"As we contemplate our financial future, a few more things ought to be said:

"First--we must make every effort to expand the tax base as a means of generating additional revenues without raising rates. Dare I suggest that the role of local government is changing? We have worked hard in our City to create a climate conducive to investment and job creation, but we must do more.

"Before the time of the Declaration of Independence, cities were primary actors in commerce and trade. But that changed by the end of the 19th century and their had become a minor role, subordinate to the private corporation and the state legislature. Then after World War II, cities became responsible for land use planning and delivery of an array of social services. Now, with the decline of state and federal aid and the changing times in which we live, a new role is required of our cities, one even more directly related to the creation of capital and business opportunity and jobs in the private sector. (See The Entrepreneur in Local Government, edited by Barbara Moore, p. 7.) Put another way, local government must encourage local entrepreneurs, not stifle them. Then we will be able to build our budgets on the basis of a growing tax base, which will help us hold the tax rate down.

"Second, we are going to have to finance some needed capital improvement projects creatively. I think most people understand that deferred maintenance catches up with you after a while, and putting off projects that need doing is not prudent. If the roof on your house is leaking, you have to fix it. Just so, we have some \$800 million worth of projects that could be done, and we are going to have to decide together what will be done. I'm talking about an upgrade of our sludge management facility, replacing old sewers, drainage projects, doing something with the Juvenile Detention Center, establishing a county-wide communication system, housing, neighborhood revitalization, a retail mall downtown, street lighting, geo-based mapping, resource recovery, bridge and street repair and construction, and so on.

"Not all these projects need be financed in the same way. We must decrease our dependence on the traditional general obligation bond issue because it places

too heavy a burden on the property taxpayer, although we will still have to use G.O. bonds as an essential tool for capital improvements. We must think more creatively about alternate financing mechanisms--revenue bonds, tax increment financing, the new Indianapolis Bond Bank, etc. And, we want to work with you to develop a financial game plan that will responsibly meet our legitimate capital improvement needs.

“And third, we must work hard at protecting property taxpayers by promoting revenue diversification. Our current system places an undue hardship on the property tax. As we make the transition from the Industrial to the Information Age, property is becoming less meaningful as a source of local government finance. The new non-manufacturing based jobs do not have the intense capital back-up that the old jobs did in the Industrial Age. Consequently, the challenge for all of us is to figure out other ways of increasing revenues while providing relief to the property taxpayers, ways that are related to services rather than property and manufacturing jobs, and ways that more appropriately spread the burden among those who are benefiting most.

“There are many cities around the country whose revenue sources are not as limited as ours and who provide much greater property tax relief to their citizens because they derive much more of their revenue from local sales and income taxes. I would recommend that we take the following four steps to help relieve the burden on the property taxpayer:

“1. As I just mentioned, we must find ways in addition to G.O. bonds to finance some of our long-range capital projects.

“2. A second idea that might help reduce the burden on property taxpayers is to set up a not-for-profit park foundation which would receive tax deductible contributions that could be disbursed to upgrade our park's facilities.

“3. We can start charging for extra services asked of City departments for special events--like festivals on the Circle, events on the river, events in the park system, etc. All these events are intrinsically worthwhile and valid. But their promoters should recognize that the City and its taxpayers have a right to expect them to be put on a pay-as-you-go basis without requiring a big subsidy in terms of City department costs for equipment, labor, overtime, site preparation, and the like.

We must consider establishing and charging user fees that adequately cover our costs, and, again, require those who benefit directly to pick up more of the tab. That explains why we are introducing the ordinance relative to dumping trash on Saturdays down at the Belmont treatment plant facility.

"4. We can take additional local income tax monies collected after our general revenue sharing replacement problem is solved two years out, and set them aside for property tax relief through the provision of additional homestead credits that would show on people's property tax bills. That will help the property owner, and I believe firmly we must plan to move in that direction when the proper time comes, and if the monies are indeed available.

"So, here you have our City's budget proposals for 1986 and a few additional reflections. I'm confident that we will work together in the weeks to come and end up with a result that will benefit and serve the citizens of Indianapolis and Marion County in the year to come.

"As you consider the details of this budget, I hope you will also give serious thought to the related points, particularly those which could provide significant progress towards providing relief to our property owners.

"Thank you very much for your attention."

The President recognized the County Auditor, Mrs. Faye I. Mowery, who addressed the Council concerning the county portion of the 1986 budget as follows:

"Mr. President, Ladies and Gentlemen of the Council:

"Three months have passed since I have had the privilege of becoming the Marion County Auditor. I enjoy serving in this capacity, and believe it or not, have had a renewed desire to assemble and present this legislative body a county budget for the first time this evening. I have found that Harry Eakin left a fine track record, and a staff that is enjoyable and productive to work with. It should also be said up front, that all 55 agencies, headed by County and Township elected and appointed officials and the City-County Council staff have been very cooperative with the Auditor's Office in assembling this budget.

"As required in your ordinance, we are presenting this evening a funded budget. The proposed 1986 County General Fund budget is up 9.8% over the 1985 budget. This increase is due to a 5% overall increase in salaries and operating expenses; over one million dollars for overtime pay, mandated by the Federal Government, from which local government has previously been exempted; the funding of a new County-wide forensic crime lab in the new jail; anticipated increased cost of operating the new jail; an increase over a non-election year of 1985, the cost of funding the Election Board and Voter's Registration for 1986 elections; increased phone bills; partial payment for new computer equipment; and the elimination of the vacancy factor in some agencies' budgets.

"Revenues are also up due to an increase in County-wide assessed values, particularly in Pike and Lawrence Townships; increase in the local option income tax, and increased income from fees from all County government services.

"The Cumulative Capital Development Fund passed by the Council in 1985 has doubled for 1986. For the first time, the Alcohol and Drug Services Fund and the Prosecutor's Diversion Fund have an expenditure budget. The use of these new funds will relieve the County General Fund of some previously required expenditures.

"It appears the Welfare budget continues to be a problem over which we all have little or no control. They have asked for 7.9% increase in salaries, with an overall budget increase of 22%, all of which you know has already been approved by the State Department of Public Welfare.

"In addition, the Welfare Department has budgeted eight million dollars for Hospital Care for the Indigent in their Level II budget. Of course, it is my opinion this should not be approved.

"Having said all this, the bottom line is, the proposed tax rate per \$100 of assessed value for the County General Fund has only gone up \$0.011859, or a little over 1 cents. The proposed Level II Welfare excess levy rate, however, has gone up 23 cents, and due to the last indigent care bond issue, the welfare sinking fund is up 4-3/4 cents. Without any of these excessive welfare rates, the County, including a raise of 5 cents for Cumulative Capital Development Funds, is only up a total of 6-2/3 cents. It is evident we all must impress upon our legislators, the seriousness of this Welfare problem, in order to relieve local governments of these extreme costs.

"As you will recall, agencies budgeted under the County General Fund have been held down to 0% increase overall in 1983 for the 1984 budget and a 3.3% overall increase in 1984 for 1985; thus forcing County salaries further below city and private sector salaries, and severely limiting other operating expenses to the place that a hardship exists in some agencies. With the cost of living up 4% this year, and to help correct the past two years shortfall, it appeared the need for a recommended 5% overall budget increase seemed inevitable for 1986 since revenues are available to fund these budgets..

"It is my belief that with this County General Budget, as presented to you this evening, the County and Township agencies can perform their statutory duties with an adequate level of service to the citizens of Marion County.

"In closing, again it is my pleasure to present to you this budget, and the Auditor's staff will assist you and your staff in any way possible in your review and recommendation in formulating a final budget for 1986.

"Thank you."

The President called for the reading of Official Communications. The Clerk read the following:

**TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE,
FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT
COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,
INDIANA:**

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, August 5, 1985, at 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

s/Beurt SerVaas, President
City-County Council

July 23, 1985

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on July 25, 1985, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 419, 420, 424, 426, 427, 429, 430 and 451, 1985, to be held on Monday, August 5, 1985, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

August 1, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Notice of hereby given that upon publication of this notice the following ordinance is in effect in Indianapolis and Marion County, Indiana: General Ordinance No. 51, 1985.

Respectfully,

s/Beverly S. Rippy
City Clerk

July 25, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 67, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twenty-three Thousand Four Hundred Twenty-four Dollars (\$23,424) in the Consolidated County Fund for purposes of the Department of Public Works, Air Pollution Control Division and reducing certain other appropriations for that division and the unappropriated and unencumbered balance in the Consolidated County Fund.

FISCAL ORDINANCE NO. 68, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional One Million Eight Hundred Ninety-three Thousand Ninety-five Dollars (\$1,893,095) in the Manpower Federal Programs Fund for purposes of the Department of Administration, Employment and Training Division and reducing the unappropriated and unencumbered balance in the Manpower Federal Programs Fund.

GENERAL ORDINANCE NO. 45, 1985, concerning the Department of Parks and Recreation's authority to waive certain ordinances concerning Lake Indy and Eagle Creek.

GENERAL ORDINANCE NO. 46, 1985, approving a petition for transfer of territory within the Consolidated City to the excluded City of Beech Grove.

GENERAL ORDINANCE NO. 47, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 48, 1985, creating the Indianapolis-Marion County Forensic Services Agency.

GENERAL ORDINANCE NO. 49, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

GENERAL ORDINANCE NO. 50, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 51, 1985, concerning the Right-of-way Activities Ordinance.

GENERAL ORDINANCE NO. 52, 1985, amending the Code concerning law enforcement responsibility in the Department of Parks and Recreation parks.

SPECIAL ORDINANCE NO. 25, 1985, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series 1985 (Haden Schweitzer Corporation Project)" in the principal amount of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 26, 1985, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partnership Project)" in the aggregate principal amount of Eight Hundred Seventy-five Thousand Dollars (\$875,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 27, 1985, authorizing the issuance and sale to The First National Bank of Cincinnati of \$700,000 Economic Development Revenue Bonds of the City of Indianapolis, Indiana, pursuant to a Trust Indenture; authorizing the City to loan the proceeds from the sale of said Project Bonds to Tuchman Cleaners, Inc. to assist said Company in financing a commercial project; and authorizing a Loan Agreement and Assignment of Loan Agreement defining the terms and conditions of said loan and providing for revenues to said City sufficient to pay principal of, premium, if any, and interest on said Project Bonds.

SPECIAL ORDINANCE NO. 28, 1985, authorizing the City of Indianapolis to issue its "Residential Facilities Revenue Bonds, 1985 Series A (Country Place South Project)" in the maximum aggregate principal amount of Ten Million Dollars (\$10,000,000) and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 29, 1985, authorizing the City of Indianapolis to issue its "Residential Facilities Revenue Bonds, 1985 Series B (Country Place North Project)" in the maximum aggregate principal amount of Fifteen Million Dollars (\$15,000,000) and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 30, 1985, authorizing the City of Indianapolis to issue its "Residential Facilities Revenue Bonds, 1985 Series C (Meridian Tower Project)" in

the maximum aggregate principal amount of Ten Million Dollars (\$10,000,000) and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 31, 1985, amending the City-County Special Ordinance No. 61, 1984 and authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series D (H & K Realty Company - E & A Industries, Inc. Project)" in the principal amount of Five Hundred Fifty Thousand Dollars (\$550,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 32, 1985, authorizing the execution and delivery of an Assignment and Assumption Agreement as well as a Letter of Agreement concerning the previously issued \$350,000 City of Indianapolis Economic Development First Mortgage Revenue Bond, Series 1981 (Laboratory Supply Co., Inc. Project).

SPECIAL ORDINANCE NO. 33, 1985, designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

SPECIAL ORDINANCE NO. 34, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development refunding bonds concerning the previously issued \$13,530,000 City of Indianapolis, Indiana Construction Loan Revenue Bonds (Marott Apartments Project - FHA - Insured Advances) Series 1982.

SPECIAL ORDINANCE NO. 35, 1985, authorizing the City of Indianapolis to issue its "Economic Development Mortgage Revenue Refunding Bonds (Pierson Street Associates, Ltd. Project) in the principal amount of Seven Million Dollars (\$7,000,000) and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 36, 1985, approving the amendment of financing documents for the previously approved by unissued City of Indianapolis Economic Development Revenue Bond (Cornelius Printing Company Project) in the principal amount of Three Million Dollars (\$3,000,000) and authorizing the City to issue such bond and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 37, 1985, designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

SPECIAL ORDINANCE NO. 38, 1985, designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

SPECIAL RESOLUTION NO. 102, 1985, honoring the Warren Central High School Girls Softball Team.

SPECIAL RESOLUTION NO. 103, 1985, commending Brigadier General Gary Cooper, United States Marine Corps.

SPECIAL RESOLUTION NO. 104, 1985, honoring the Reverend Charles Williams.

SPECIAL RESOLUTION NO. 105, 1985, welcoming the Montford Point Marine Association's Convention.

SPECIAL RESOLUTION NO. 106, 1985, amending previously adopted City-County Special Resolution No. 36, 1985 to increase the amount from \$8,000,000 to an amount not to exceed \$10,000,000 and to modify the definition of the Company to also include The Mediplex Group, Inc. or a general or limited partnership in which Cambridge Group, Inc. or The Mediplex Group, Inc. are principals and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 107, 1985, amending City-County Special Resolution No. 39, 1985 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 108, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 109, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 110, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 111, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 112, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

Respectfully submitted,

s/William H. Hudnut, III

ADOPTION OF AGENDA

Consent was given for the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of August 5, 1985.

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections for the Journal of June 10, 1985. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS,
AND COUNCIL RESOLUTIONS --

PROPOSAL NO. 471, 1985. This proposal honors The Rocky Shore Gospel Singers. Councillor Strader, sponsor of this proposal, read the resolution and introduced the members of The Rocky Shore Gospel Singers. The Rocky Shore Gospel Singers then gave a brief demonstration of their talent. Councillor Strader moved, seconded by Councillor Howard for adoption. Proposal No. 471, 1985, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 113, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 113, 1985

A SPECIAL RESOLUTION honoring The Rocky Shore Gospel Singers.

WHEREAS, in 1944 a non-denominational choir was formed in our community to express through music the wonders of our Lord; and

WHEREAS, The Rocky Shore Gospel Singers have served our City for forty-one (41) years through the sharing of their hymns and spirituals; and

WHEREAS, the citizens of Indianapolis and Marion County have been blessed many times by the blending of the voices and the beauty of their songs as each gives praise in spiritual devotion through music; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis - Marion County City-County Council honors, during its Forty First Anniversary Year, The Rocky Shore Gospel Singers.

SECTION 2. The City-County Council expresses its gratitude to James Alexander, Levatus Moore, Jerry Yarborough, Arnold Summers, Tony Ray and Howard Richardson, Jr. for their long standing service to the spiritual needs of the people of our City.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 438, 1985. This proposal requests an in-depth study by the Traffic Engineering Division, Department of Transportation on the recommendation to open South East Street to northbound, eastbound and westbound traffic. Councillor Gilmer reported that the Transportation Committee held a meeting on

July 31, 1985, to hear testimony concerning Proposal No. 438, 1985. It was recommended by the Transportation Committee that Proposal No. 438, 1985, be reassigned to a joint meeting of the Transportation and Metropolitan Development Committees.

Councillor McGrath, one of the sponsors of Proposal No. 438, 1985, made the following motion which was seconded by Councillor Gilmer.

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 438, 1985, by inserting the words underlined in the first paragraph and also in Section 1, as follows:

A COUNCIL RESOLUTION requesting the Traffic Engineering Division of the Department of Transportation and the Planning Division of the Department of Metropolitan Development to do an in-depth study of the intersection of South East Street, South Street, Virginia Avenue and Fletcher Avenue.

SECTION 1. Due to the potential for the Area's revitalization, growth and development, we are requesting the Traffic Engineering Division and the Planning Division of the Department of Metropolitan Development to perform an in-depth study of the intersection for recommendations to open South East Street to northbound, eastbound and westbound traffic.

I further move to amend Proposal No. 438, 1985, by deleting in Section 2, the date "September 25, 1985" and inserting in lieu thereof the date "September 30, 1985".

Councillor McGrath

Consent was given to the motion; and Councillor McGrath moved, seconded by Councillor Borst for adoption. Proposal No. 438, 1985, as amended, was adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 17, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 17, 1985

A COUNCIL RESOLUTION requesting the Traffic Engineering Division of the Department of Transportation and the Planning Division of the Department of Metropolitan Development to do an in-depth study of the intersection of South East Street, South Street, Virginia Avenue and Fletcher Avenue.

WHEREAS, the Southeast Redevelopment District was created to facilitate reinvestment in the area. As a result of this district and the recent expansions of the Rubber Company, Eli Lilly, the Rehabilitation of the Briggs Flats Complex and the

Termini Property, there is an anticipated investment in the area in the excess of forty million dollars in the next 5 to 7 years; and

WHEREAS, the Southeast District is the last undeveloped downtown area; and

WHEREAS, the Area has now become the focal point of economic and residential redevelopment; and

WHEREAS, the hinderance to development and to activity for this area has been identified as the intersection of South East Street, South Street, Virginia Avenue and Fletcher Avenue; and

WHEREAS, the early development of this intersection has created physical barriers preventing traffic from going north to the downtown area by way of Virginia Avenue, South Street, Fletcher Avenue and East Street; and

WHEREAS, traffic must therefore turn south and go back to Virginia Avenue and through the surrounding residential neighborhoods, rather than on a direct northbound route; and

WHEREAS, this intersection creates potential pedestrian and automobile confrontations; and

WHEREAS, the impediment at South East Street, South Street, Virginia Avenue and Fletcher Avenue has restricted the economic growth of the businesses located along South East Street, and has accelerated the deterioration of the surrounding residential neighborhoods; and

WHEREAS, the Department of Transportation, Traffic Engineering Division has reviewed the intersection on numerous occasions and has agreed that this is probably the worst intersection in the city in reference to the orderly flow of traffic; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Due to the potential for the Area's revitalization, growth and development, we are requesting the Traffic Engineering Division and the Planning Division of the Department of Metropolitan Development to perform an in-depth study of the intersection for recommendations to open South East Street to northbound, eastbound and westbound traffic.

SECTION 2. This in-depth study should be presented to the Transportation Committee of the City-County Council on or before the regularly schedule committee meeting of September 30, 1985.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 470, 1985. This proposal supports Mayor Hudnut's resistance to efforts by the U.S. Justice Department to change the Consent Decrees that are

the basis of Indianapolis' Affirmative Action Program in the Police and Fire Departments. Councillor Boyd, co-sponsor, read Proposal No. 470 to the Council.

Councillor Dowden moved, seconded by Councillor Schneider, that due to the complexity of Proposal No. 470, 1985, it be assigned to the Rules and Policy Committee.

After a lengthy discussion, the motion passed by the following roll call vote; viz:

15 AYES: Bradley, Cottingham, Coughenour, Dowden, Durnil, Giffin, Gilmer, Holmes, McGrath, Nickell, Rader, Schneider, SerVaas, Stewart, West

12 NAYS: Boyd, Campbell, Clark, Crowe, Curry, Hawkins, Howard, Journey, Miller, Rhodes, Shaw, Strader

2 NOT VOTING: Borst, Page

PROPOSAL NO. 476, 1985. This proposal condemns the defacing of public property. Councillor Coughenour read the proposal and explained that a local organization had petitioned the courts to allow them to paint "human silhouettes" on City streets and sidewalks as a nuclear protest. The judge has ruled in favor of allowing this to take place. Proposal No. 476, 1985 was initiated against this action. Councillor Coughenour moved, seconded by Councillor Clark for adoption.

Councillor Boyd moved, seconded by Councillor Coughenour, the following motion:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 476, 1985, by adding the following as a new Section 4 and renumbering the following sections respectively:

SECTION 4. In the event legal avenues to prevent such defacing fails, effort be made by the City to get a commitment from the involved groups to take the responsibility to remove all silhouettes within a designated period of time.

Councillor Boyd

The amendment passed by unanimous voice vote. Proposal No. 476, 1985, as amended, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, West*

1 NAY: *Shaw*

1 NOT VOTING: *Page*

Proposal No. 476, 1985, as amended, was retitled COUNCIL RESOLUTION NO. 18, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 18, 1985

A COUNCIL RESOLUTION condemning the defacing of public property.

WHEREAS, three local advocate groups have obtained a temporary restraining order against the City of Indianapolis that allows them to indiscriminately paint "human silhouettes" on City streets and sidewalks as a nuclear protest; and

WHEREAS, a spokesperson for the Women's International League for Peace and Freedom, one of the groups involved in the proposed painting, has publicly stated "We will clean up if there are any complaints"; and

WHEREAS, the defacing of public property in any manner is a civil injustice carried out against all law abiding citizens; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis-Marion County City-County Council condemns in any manner, shape or form the defacing of any public property for any reason.

SECTION 2. The Council, representing all of the citizens of Indianapolis and Marion County hereby publicly makes known its complaint against said painting of our streets, sidewalks, and any other public property.

SECTION 3. The Council further requests that the Director of Public Safety and the Corporation Council for the City of Indianapolis take whatever action they deem legal and proper to prevent said defacing of public property.

SECTION 4. In the event that legal avenues to prevent such defacing fails, effort be made by the City to get a commitment from the involved groups to take the responsibility to remove all silhouettes within a designated period of time.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 464, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$350,000 for the Central Equipment Management Division for mileage penalties on IPD vehicles and increased insurance and contractual repair of vehicles"; and the President referred it to the Administration Committee.

PROPOSAL NO. 465, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION authorizing the Clerk of the Circuit Court to utilize electronic funds transfers for the collection and disbursement of child support payments"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 466, 1985. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE reorganizing the divisions of the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 467, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Fayette Street and St. Clair Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 468, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing intersection controls in Southern Lakes Estates and Charter Pointe Subdivisions"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 469, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of Westfield Boulevard"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 472, 1985. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE for the POLICE

SPECIAL SERVICE DISTRICT establishing the annual budget for the Police Special Service District for 1986"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 473, 1985. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE for the FIRE SPECIAL SERVICE DISTRICT establishing the annual budget for the Fire Special Service District for 1986"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 474, 1985. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE for the SOLID WASTE SPECIAL SERVICE DISTRICT establishing the annual budget for the Solid Waste Special Service District for 1986"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 475, 1985. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE establishing the annual budget for Indianapolis and Marion County, Indiana for 1986"; and the President referred it to Various Committees of the City-County Council.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 451, 1985. This proposal is for a rezoning ordinance for Perry Township, Councilmanic District 25, 1531 East Stop 10 Road. Councillor Miller moved, seconded by Councillor Rader, the following amendment:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that Proposal No. 451, 1985, (Rezoning Docket No. 85-Z-72) be amended to delete the commitments approved by the Commission and substitute therefor certain revised commitments submitted to the Council which are attached hereto and shall be made a part of the ordinance by reference.

Councillor Miller

The amendment passed by unanimous voice vote. Councillor Miller moved, seconded by Councillor McGrath for adoption. Proposal No. 451, 1985, as amended, was adopted on the following roll call vote; viz:

20 AYES: Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Durnil, Giffin, Hawkins, Holmes, McGrath, Miller, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West

NO NAYS

9 NOT VOTING: Borst, Cottingham, Dowden, Gilmer, Howard, Journey, Nickell, Page, Stewart

Proposal No. 451, 1985, as amended, was retitled REZONING ORDINANCE NO. 108, 1985, and reads as follows:

**REZONING ORDINANCE NO. 108, 1985 85-Z-72 AMENDED PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
1531 EAST STOP 10 ROAD, INDIANAPOLIS**
Amli Realty Company requests the rezoning of 19.3 acres, being in the A-2 district, to the D-6 II classification, to provide for multi-family residential development.

PROPOSAL NO. 419, 1985. This proposal appropriates \$53,000 for the County Administrator for increased workmen's compensation claims. Councillor Cottingham stated that Mr. Hauser, Deputy Director of the Department of Administration, noted two incidents to the Committee of employees being injured in the course of their duties. One was a Marion County Sheriff's Deputy injured in an auto accident. The City has already expended approximately \$93,796 on this particular case, and he is not at the point to settle with the City. The funds were made possible through the Auditor's Office. The County and Townships Committee on July 30, 1985, recommended Proposal No. 419, 1985, Do Pass by a vote of 6-0. The President called for public testimony at 8:46 p.m. There being no one present to testify Councillor Cottingham moved, seconded by Councillor Hawkins for adoption. Proposal No. 419, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West
NO NAYS

3 NOT VOTING: Clark, Page, Stewart

Proposal No. 419, 1985, was retitled FISCAL ORDINANCE NO. 71, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 71, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Fifty-three Thousand Dollars (\$53,000) in the County General Fund for purposes of the County Administrator and reducing certain other appropriations for the County Auditor.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(10) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds for increased Workmen's Compensation Claims.

SECTION 2. The sum of Fifty-three Thousand Dollars (\$53,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:	
COUNTY ADMINISTRATOR	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$53,000</u>
TOTAL INCREASE	\$53,000

SECTION 4. The said additional appropriations are funded by the following reductions:	
COUNTY AUDITOR	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$53,000</u>
TOTAL REDUCTION	\$53,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 420, 1985. This proposal appropriates \$1,000 for the Pike Township Assessor to retain a temporary field deputy. Councillor Cottingham explained that these funds will allow the Pike Township Assessor's Office to retain a temporary field deputy through August into September to finish the field work on the new construction that has been taking place in Pike Township. The County and Townships Committee on July 30, 1985, recommended Proposal No. 420, 1985, Do Pass by a vote of 6-0. The President called for public testimony at 8:47 p.m. There being no one present to testify Councillor Cottingham moved, seconded by Councillor Holmes for adoption. Proposal No. 420, 1985, was adopted on the following roll call vote; viz:

23 AYES: Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West

NO NAYS

6 NOT VOTING: Borst, Clark, Dowden, Howard, Page, Stewart

Proposal No. 420, 1985, was retitled FISCAL ORDINANCE NO. 72, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 72, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional One Thousand Dollars (\$1,000) in the County General Fund for purposes of the Pike Township Assessor and reducing certain other appropriations for the Marion County Auditor.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(2) and (d)(6) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds and a transfer within the personnel schedule in order to retain a temporary field deputy.

SECTION 2. The sum of One Thousand Dollars (\$1,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

PIKE TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
1. Personal Services	<u>\$1,000</u>
TOTAL INCREASE	\$1,000

SECTION 4. The said additional appropriations are funded by the following reductions:

MARION COUNTY AUDITOR	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$1,000</u>
TOTAL REDUCTION	\$1,000

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(6) PIKE TOWNSHIP ASSESSOR - Dept. 23

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	28,602	28,602
Chief Deputy	1	21,452	21,452
Deputies	7	17,718	98,065 <u>92,765</u>

Temporary	3	4,000 5,500
Vacancy Factor	<u> </u>	<u>(4,210)</u>
TOTAL	12	<u>144,109</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 424, 1985. This proposal appropriates \$85,000 of Lilly Endowment Grant Funds for various divisions of the Department of Parks and Recreation. Councillor Durnil stated that these funds will be used for special programs that are intended for various sports such as junior baseball, summer aquatics, canoeing and bicycling. The Parks and Recreation Committee on July 25, 1985, recommended Proposal No. 424, 1985, Do Pass by a vote of 4-0. The President called for public testimony at 8:49 p.m. There being no one present to testify Councillor Durnil moved, seconded by Councillor Howard for adoption. Proposal No. 424, 1985, was adopted on the following roll call vote; viz:

27 AYES: Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Borst, Page

Proposal No. 424, 1985, was retitled FISCAL ORDINANCE NO. 73, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 73, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Eighty-five Thousand Dollars (\$85,000) in the Park General Fund for purposes of the Department of Parks and Recreation Divisions and reducing the unappropriated and unencumbered balance in the Park General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating Lilly Endowment Grant Funds for bicycling, handicapped rowing, junior baseball, summer aquatics and other programs for many youth and young adults.

SECTION 2. The sum of Eighty-five Thousand Dollars (\$85,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PARKS AND RECREATION

ADMINISTRATION

PARK GENERAL FUND

1. Personal Services	\$ 3,350
2. Supplies	1,320
3. Other Services & Charges	3,845
4. Capital Outlay	<u>12,623</u>
	\$21,138

EAGLE CREEK DIVISION

1. Personal Services	6,650
3. Other Services & Charges	7,000
4. Capital Outlay	<u>1,457</u>
	\$15,107

COMMUNITY RECREATION DIVISION

1. Personal Services	5,680
2. Supplies	2,000
3. Other Services & Charges	6,500
4. Capital Outlay	<u>1,440</u>
	\$15,620

SPORTS AND SPECIAL FACILITIES DIV.

1. Personal Services	2,000
2. Supplies	5,340
3. Other Services & Charges	<u>25,795</u>
	\$33,135

TOTAL INCREASE

\$85,000

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF PARKS AND RECREATION

PARK GENERAL FUND

Unappropriated and Unencumbered

Park General Fund

TOTAL REDUCTION

\$85,000
\$85,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 426, 1985. This proposal appropriates \$23,000 for the Criminal Justice Coordinating Agency for a Criminal Justice Data Integrator. Councilor Dowden explained that Proposal No. 426, was initiated by the Department of Public Safety and the Department had requested that the Public Safety and Criminal Justice Committee table the proposal. Councilor Dowden requested that the Council table Proposal No. 426, 1985. Consent was given.

PROPOSAL NO. 427, 1985. This proposal appropriates \$80,000 for the Presiding Judge of the Municipal Court for public defenders and to reduce the vacancy factor. Councillor Dowden reported that the City Legal Division had suggested that the public defenders be paid on a contractual basis instead of personal services. It has been decided that the Municipal Court will be contracting with a not-for-profit organization for public defender services and this will allow for a mix of part-time and full-time public defenders and should be much more efficient. The Public Safety and Criminal Justice Committee on July 24, 1985, recommended Proposal No. 427, 1985, Do Pass by a vote of 7-0. The President called for public testimony at 8:52 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Hawkins for adoption. Proposal No. 427, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

3 NOT VOTING: *Cottingham, Dowden, Page*

Proposal No. 427, 1985, was retitled FISCAL ORDINANCE NO. 74, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 74, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Eighty Thousand Dollars (\$80,000) in the County General Fund for purposes of the Presiding Judge of the Municipal Court and reducing the unappropriated and unencumbered balance in the County General Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(24) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds from the increase in Alcohol and Drug Services Fees to reduce the vacancy factor and transfer funds from personal services to contractual services for public defenders.

SECTION 2. The sum of Eighty Thousand Dollars (\$80,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

PRESIDING JUDGE OF THE MUN. COURT

1. Personal Services
3. Other Services & Charges
- TOTAL INCREASE

COUNTY GENERAL FUND

\$24,920
55,080
 \$80,000

SECTION 4. The said additional appropriations are funded by the following reductions:

PRESIDING JUDGE OF THE MUN. COURT

Unappropriated and Unencumbered
 County General Fund

COUNTY GENERAL FUND

\$80,000
\$80,000

TOTAL REDUCTION

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(24) PRESIDING JUDGE OF THE MUNICIPAL COURT - Dept. 47

County General Fund

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judges	15	17,160	247,104
Court Reporters	16	18,616	279,240
Bailiffs	47	17,550	689,078
Managers	3	29,744	78,520
Supervisors/Admin. Asst.	9	20,930	164,060
Court Specialists	48	15,574	503,802
Professional	79 <u>42</u>	28,080	797,350 <u>737,270</u>
Temporary			16,486
Vacancy Factor			(200,151) <u>(122,519)</u>
TOTAL	214 <u>180</u>		2,598,421 <u>2,593,041</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 429, 1985. This proposal appropriates \$220,484 of various grant funds for the Marion County Prosecuting Attorney and the County Auditor. Councillor Dowden outlined the following grants and the approximate amounts being appropriated by Proposal No. 429, 1985: Latchkey - \$2,900; Youth Resource Center - \$10,000; Diversion/Screening - \$17,954; and Serious Habitual Offenders Program - \$174,088. The Public Safety and Criminal Justice Committee on July 24, 1985, recommended Proposal No. 429, 1985, Do Pass by a vote of 7-0. The President called for public testimony at 8:53 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Gilmer for adoption. Proposal No. 429, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Cottingham, Page

Proposal No. 429, 1985, was retitled FISCAL ORDINANCE NO. 75, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 75, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Two Hundred Twenty Thousand Four Hundred Eighty-four Dollars (\$220,484) in the State and Federal Grant Fund for purposes of the Marion County Prosecuting Attorney and County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(2) and (b)(22) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for the Habitual Serious and Violent Juvenile Offender, Youth Resource, Latchkey and Diversion/Screening which are existing grant programs and the increase will be reimbursed.

SECTION 2. The sum of Two Hundred Twenty Thousand Four Hundred Eighty-four Dollars (\$220,484) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

PROSECUTING ATTORNEY	STATE AND FEDERAL GRANT FUND
31. Personal Services	\$ 56,889
32. Contractual Services	133,429
33. Travel	3,600
34. Equipment	7,600
35. Operating Expenses	<u>5,701</u>
	\$207,219
COUNTY AUDITOR	
31. Personal Services (Fringes)	<u>\$ 13,265</u>
TOTAL INCREASE	\$220,484

SECTION 4. The said additional appropriations are funded by the following reductions:

PROSECUTING ATTORNEY	STATE AND FEDERAL GRANT FUND
Unappropriated and Unencumbered State and Federal Grant Fund	<u>\$220,484</u>
TOTAL REDUCTION	\$220,484

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Deputy Prosecutors	5	32,000	71,848 <u>93,094</u>
Witness Coordinator	1	18,000	18,000
Paralegal	2	17,000	22,800 <u>27,999</u>
Investigator	1	21,000	22,800 <u>27,924</u>
Project Analyst	1	11,000	11,000 <u>14,808</u>
Director	4	26,000	30,115 <u>65,088</u>
Volunteer Coordinator	1	15,000	15,000
Project Coordinator	1	9,240	5,331
Secretary	4	14,500	31,388 <u>34,301</u>
Counselor	2	15,000 <u>16,000</u>	29,000 <u>36,625</u>
Screening Deputy	1	12,000	10,000 <u>10,844</u>
Intern	1	13,000	6,500
Data Entry Clerk	1	13,000	3,500 <u>8,750</u>
Vacancy Factor			(53,525) <u>(54,315)</u>
Temporary			<u>1,700</u>
TOTAL	25		1254,760 <u>311,649</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 430, 1985. This proposal appropriates \$22,460 for the Marion County Prosecuting Attorney and the County Auditor to fund a Forensic Service Director. Councillor Dowden explained that there have been interviews for the new director and Proposal No. 430, will authorize payment of the salary for the remainder of 1985. The Public Safety and Criminal Justice Committee on July 24, 1985, recommended Proposal No. 430, 1985, Do Pass by a vote of 7-0. The President called for public testimony at 8:55 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Borst for adoption. Proposal No. 430, 1985, was adopted on the following roll call vote, viz:

23 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Giffin, Gilmer, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

NO NAYS

6 NOT VOTING: Dowden, Durnil, Hawkins, Page, Rader, Strader

Proposal No. 430, 1985, was retitled FISCAL ORDINANCE NO. 76, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 76, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twenty-two Thousand Four Hundred Sixty Dollars (\$22,460) in the County General Fund for purposes of the Marion County Prosecutor and County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(2) and (b)(22) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for a Forensic Service Director for the remainder of this year. The position will be budgeted in a separate agency for 1986. The Prosecutor's Diversion Fund will reimburse the County General Fund for 1985.

SECTION 2. The sum of Twenty-two Thousand Four Hundred Sixty Dollars (\$22,460) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:	
PROSECUTING ATTORNEY	COUNTY GENERAL FUND
1. Personal Services	\$17,310
3. Other Services & Charges	<u>2,000</u>
	\$19,310
COUNTY AUDITOR	
1. Personal Services (Fringes)	<u>\$ 3,150</u>
TOTAL INCREASE	\$22,460

SECTION 4. The said additional appropriations are funded by the following reductions:	
PROSECUTING ATTORNEY	COUNTY GENERAL FUND
Unappropriated and Unencumbered	
County General Fund	<u>\$22,460</u>
TOTAL REDUCTION	\$22,460

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(22) PROSECUTING ATTORNEY - Dept. 25

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	7,245	7,245
Chief Trial Deputy	1	4,928	4,928
Admin. Staff	3	25,716	62,700
Admin. Supervisor	8	26,000	87,868
Admin. Secretary	12	17,196	145,050
General Secretary	11	16,932	133,101
Computer Staff	4	14,635	40,000

Investigator	4	40,110	90,000
Law Clerk	13	15,855	91,000
Paralegal	17	19,513	215,218
Chief Counsel	1	42,110	42,110
Supv. of Professionals	8	40,110	277,819
Full & Part-time Deputy			
Prosecutors	47	36,135	1,060,620
<u>Forensic Services Director</u>	<u>0/ 1</u>	<u>0/ 45,000</u>	<u>0/ 17,310</u>
Temporary			20,000
Vacancy Factor			(109,515)
TOTAL	<u>189 131</u>	<u>2,188,444</u>	<u>2,185,454</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 295, 1985. This proposal establishes a Metropolitan Emergency Communications Agency and an Indianapolis Public Safety Communications Commission. Councillor Dowden pointed out that there had been several meetings held between city and county agencies as well as the Public Safety and Criminal Justice Committee concerning Proposal No. 295, 1985. All parties seem to be in agreement with the amended version now before the Council. Councillor Dowden did request that the following technical corrections be made: (1) Section 10-11 (b) - to delete the sentence "All members of the Board must agree before a special meeting may be called."; (2) Section 10-12 (a) C - to change the word "selected" to "elected"; and (3) Section 10-14 (a) - to change the word "be" to "by". Consent was given to these changes. The Public Safety and Criminal Justice Committee on July 31, 1985, recommended Proposal No. 295, 1985, Do Pass As Amended by a vote of 9-0. Councillor Dowden moved, seconded by Councillor Borst for adoption. Proposal No. 295, 1985, as amended, was adopted on the following roll call vote; viz:

[CLERK'S NOTE: The Homecroft Police Department provided each Councillor with a written statement on their problems and concerns.]

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard,

Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw,
Stewart, Strader, West

NO NAYS

1 NOT VOTING: Page

CITY-COUNTY GENERAL ORDINANCE NO. 53, 1985

A GENERAL ORDINANCE establishing a Metropolitan Emergency Communications Agency and an Indianapolis Public Safety Communications Commission.

WHEREAS, various township, city, town and county agencies are statutorily liable and responsible for providing public safety, emergency services, and emergency communications within their respective jurisdictions including decisions pertaining to operations and provision of this service; and

WHEREAS, various township, city, town and county "Public Safety" agencies are concerned with the quality of emergency communications in Marion County; and

WHEREAS, various township, city, town and county "Public Safety" agencies recognize the need to improve, enhance and upgrade currently existing emergency communications systems in Marion County; and

WHEREAS, various township, city, town and county "Public Safety" agencies recognize the desirability of developing an integrated, comprehensive, countywide emergency communications system; and

WHEREAS, the acquisition, establishment, construction, improvement, equipment, maintenance, control and operation of communication facilities under this ordinance is a governmental function of general public necessity and benefit and is for the use and general welfare of all the people of the City of Indianapolis and Marion County and other enjoining agencies; and

WHEREAS, the legal authority exists under I.C. 36-8-15-9(c) and 36-3-4-23 to do so; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", be and is hereby amended to add a new Chapter 10 to read as follows:

CHAPTER TEN - COMMUNICATION AGENCY

DIVISION I - INDIANAPOLIS PUBLIC SAFETY COMMUNICATIONS COMMISSION

Sec. 10-1. Commission established.

(a) There is hereby established an Indianapolis Public Safety Communications Commission, hereinafter referred to as the Commission. The Commission shall consist of:

- (1) the Director of Public Safety, who will serve as its Chairman;
- (2) one (1) member representing each participating agency appointed as follows:

- (A) Indianapolis Police Department: Indianapolis Police Chief or a senior member of the department designated to represent him;
 - (B) Indianapolis Fire Department: Indianapolis Fire Chief or a senior member of the department designated to represent him;
 - (C) Wishard Ambulance Service, a management level supervisor appointed by the board of trustees of the Health and Hospital Corporation;
 - (D) Marion County Sheriff's Department: a senior officer appointed by the county sheriff;
 - (E) Excluded Cities and Towns: one member from each participating city appointed by the mayor and each participating town appointed by the town board, not to exceed three (3) in number;
 - (F) Indianapolis City Departments: represented by one non-voting member appointed by majority vote of the directors of the participating departments;
 - (G) Indiana State Police: represented by one non-voting ranking state policeman appointed by the commander of District 52.
- (3) the chairman of the Public Safety Committee of the City-County Council;
 - (4) the administrator of Emergency Management;
 - (5) one member representing each participating township fire department, appointed by the township trustee, not to exceed eight (8) in number;
 - (6) one civilian advisor representing the city agencies appointed by the Mayor; and
 - (7) one civilian advisor representing the county outside the Indianapolis Police and Fire Special Service Districts, appointed by the township fire department representatives and elected officials of participating county departments.
- (b) Terms of office of Commission members. Each member shall serve at the pleasure of the appointing body and official. If a vacancy occurs in the Commission by resignation or otherwise, the appointing body or official will appoint a new commissioner to serve. The appointing body or official may, at any time, remove a commissioner from office.
- (c) A majority of the members of the Commission constitutes a quorum for a meeting. The Commission may act officially by an affirmative vote of a majority of those present at the meeting at which the action is taken.
- (d) With respect to entities set forth in Sec. 10-1(a)(2)(E) and Sec. 10-1(a)(5), each participating agency must file with the city clerk a copy of the resolution passed by its governing body authorizing the agency's participation in the countywide emergency communications system. No such agency shall be allowed to cast a formal vote as a member of the Commission unless such a resolution has been formally adopted, and a copy file with the clerk of the council. Whenever an agency, political subdivision, or other entity becomes a participating agency for the purposes of this article, it shall be entitled to full voting membership on the Commission.

Sec. 10-2. Meetings and organization.

- (a) The Commission shall meet at a place, date and time to be specified. The Commission shall at its first meeting, elect from its body, the president of the executive board for a term of two years and adopt their own rules of order.
- (b) Meetings shall be held at the office of the agency, provided that public hearings and similar meetings for which the Commission deems the facilities of its office inadequate may be held at such other public place in the district as may be designated by the Commission. The Commission shall have power to adjourn any regular or special meeting to a day certain to be designated at the time of adjournment and such adjourned meeting shall be deemed a continuation of the meeting so adjourned.

(c) The Commission shall cause a written record of its proceedings to be kept, which shall be available for public inspection in the office of the Commission. The Commission shall record in the record the ye and nay vote on the passage of each policy issue.

(d) The Commission shall adopt a system of rules of procedure under which its meetings are to be held. The Commission may suspend the rules of procedure by unanimous vote of the members of the Commission, who are present at the meeting. The Commission shall not suspend the rules of procedure beyond the duration of the meeting at which the suspension of rules occurs.

(e) The Commission shall convene in a special meeting when such meeting is called. The chairman or a majority of the members of the Commission may call a special meeting. The Commission shall by rule establish a procedure for calling special meetings. The Commission shall give notice of a special meeting which is open to the public in accordance with I.C. 5-14-1.5. Commission members may confer from time to time in executive session pursuant to I.C. 5-14-1.5-6.

Sec. 10-3. Duties and authority of commission.

(a) In general, the responsibilities of the Commission shall be to provide guidance and assistance to the Commission Chairman and Board as needed through formulating working committees that may include, but are not limited to the following areas:

1. Finance
2. Human Resource Development
3. Grievances
4. Maintenance
5. Liason
6. Legal
7. Protocols
8. Technical Services
9. Long Range Growth & Development

(b) The Commission may review and recommend to the Board to adopt a schedule of reasonable charges and collect them from all users of its facilities and services.

(c) The Commission may review and recommend to the Board a budget for the purpose of operating and maintenance expenditures. The budget shall be prepared at the same time and in the same manner as that of the Department of Public Safety. While the funds of the Commission will not be commingled with those of the Department of Public Safety, the Director of Public Safety will submit the budget as part of the Department of Public Safety budgeting process.

(d) The Commission may review and make recommendations to the Board concerning the management and operation of all communication facilities acquired or maintained by the Agency, and the lease of all or part of any other buildings or structures utilized by the Agency.

(e) The Commission may review and recommend contracts for the operation and management of the communication facilities through leases, through Agency employees, or otherwise. Contracts or leases for the maintenance, operation or use of any communication facilities may be made for a term not exceeding ten (10) years.

(f) The Commission may propose ordinances for the management and control of its communication facilities and other property under its control.

(g) The Commission shall determine when and if the jurisdictional boundaries shall be expanded beyond its original boundaries and whether additional agencies may become participants in the system and may condition such expansion upon payments of special fees and charges established by the Commission.

(h) The Commission shall annually review the operation of the communication system to determine the performance of the system in meeting the needs of the various agencies and the general public and issue a written report of its findings.

(i) The Commission shall be responsible for establishing communication policies and protocols respecting "first responder" and "mutual aid" practices pursuant to the participating agency's needs.

(j) The Commission may conduct hearings to gather information and opinions regarding the policies and procedures of the agency.

Sec. 10-11. Executive board.

(a) There is hereby established an executive board of the Commission which shall supervise the operation of the Metropolitan Emergency Communications Agency. The Board shall consist of nine (9) members:

- (1) the President of the Board elected by and from the Commission who shall only vote in the case of a tie vote among remaining Board members;
- (2) the Indianapolis Fire Chief, (or a senior firefighter permanently designated to represent him);
- (3) the Indianapolis Police Chief, (or a senior police officer permanently designated to represent him);
- (4) the Marion County Sheriff, (or a senior officer permanently designated to represent him);
- (5) a Township Fire Chief;
- (6) a senior manager of the Wishard Ambulance Service appointed by the board of trustees of the Health and Hospital Corporation;
- (7) a Township Fire Chief representing Township EMS;
- (8) the director of Public Safety; and
- (9) a representative from the excluded cities and towns who must be a professional public safety official.

The Board members representing the townships shall be selected from and by the participating township commission members, who will also reaffirm their Board appointees on an annual basis.

(b) The Board shall convene in a special meeting when one is called. The Board shall establish by rule, a procedure for calling special meetings.

(c) Meetings shall be held at the office of the Agency, except that public hearings and similar meetings for which the office facilities are inadequate may be held at another public place in the county that is designated by the Board.

(d) A majority of the members of the Board constitutes a quorum for a meeting. The Board may act officially by an affirmative vote of a majority of those present at the meeting at which the action is taken.

(e) The Board shall keep a written record of its proceedings. The Board shall record the yea and nay tally of the vote for each policy issue.

(f) The Board shall adopt a system of rules of procedure under which its meetings are to be held. The Board may suspend the rules of procedure by unanimous vote of the members of the Board who are present at the meeting. The Board may not suspend the rules of procedure beyond the duration of the meeting at which the suspension of rules occurs.

Sec. 10-12. Duties and responsibilities of the executive board.

(a) The Board shall be responsible for establishing policy and administration of the system, to include but not be limited to the following areas:

- | | |
|---------------------------------|--|
| A. Finance - | To coordinate requests for income, expenditures, fees, assessments, purchasing, leases. |
| B. Human Resource Development - | To approve policies concerning the selection, dismissal, promotion, discipline, performance evaluation, EEOC reporting, training programs, job analysis, position factoring, compensation schedules. |
| C. Grievances - | To develop policy and procedures for the reception and disposition of system operation and protocol complaints received from member agencies, elected officials and citizens. |
| D. Maintenance - | To monitor maintenance of physical equipment, facilities, buildings and grounds. |
| E. Protocols - | To monitor changes in the communications protocol for EMS, Police and Fire running orders and to assist in the development of mutual aid and dual response agreement. |
| F. Legal - | To work closely in review of legal matters with attorneys and representatives of the City of Indianapolis Legal Division. |
| G. Technical - | To establish and monitor computer and telephone systems of the communications agency, recommend modifications and additions to participating agencies as required. |

H. Liaison - To provide liaison with other governmental and external agencies as it relates to disaster, special events and other mutual matters.

Sec. 10-13. President of executive board.

The president of the executive board shall be elected by the Commission from among its members and shall serve at its pleasure. The president shall report the actions of the board to the Commission.

Sec. 10-14. Authority of director of public safety.

(a) Applications, assurances, contracts and other instruments necessary in the Commission's performance of its duties and the exercise of its powers may be executed in its name by the Director of Public Safety and the Mayor of Indianapolis.

(b) The Director of Public Safety and the Mayor of Indianapolis, with the approval of the Board, have the power to acquire, establish, construct, improve, equip, maintain, lease and regulate communication facilities for participating eligible entities for the purpose of dispatching emergency response vehicles and personnel, subject to statutory limitations and to erect, install, construct and maintain satellite stations and portable and mobile units necessary for emergency communications.

(c) The legislative body of a participating eligible entity may by ordinance provide that any land or equipment suitable for these purposes that is owned by the eligible entity shall be put under the control of the Commission for emergency communication purposes.

(d) The Director of Public Safety, with the approval of the Board, may negotiate and execute contracts for sale, purchase, lease, personal services, materials, supplies, equipment or any other transaction or business relative to the communication facilities under the Commission's control.

(e) The Director of Public Safety, with approval of the Board, may take action to recover damages for the breach of an agreement, expressed or implied, relating to the operation, control, leasing, management or improvement of the property under its control, for the violation of its ordinances and from injury to the personal or real property under its control and to recover possession of any such property.

**DIVISION II - METROPOLITAN EMERGENCY
COMMUNICATIONS AGENCY**

Sec. 10-21. Agency established.

There is hereby established as a division of the department of public safety, a metropolitan emergency communications agency.

Sec. 10-22. Purposes.

The agency shall be responsible for operating an emergency communication system and communications facilities for all participating public safety agencies in Marion County.

Sec. 10-23. Operation.

The agency shall operate under the policies and executive control of the Indianapolis Public Safety Communication Commission and its executive board.

Sec. 10-24. Agency administrator.

The Communications Chief shall be the administrator of the agency. The Board shall recommend to the Mayor three (3) candidates for a Communications Chief and the Mayor shall approve the best qualified candidate for the position. The Board shall fix the compensation for the Chief within the personnel policies of the city. The Communications Chief may employ a secretary and may employ supervisors, managers, engineers, clerks, technicians, dispatchers and all other employees the Board considers expedient. The Employees of the agency shall be employed under the personnel policies of the City provided the Board shall approve minimum qualifications for employment, career development of employees of the agency and the terms and conditions of employment of the Communications Chief.

Sec. 10-25. Duties of communications chief.

The Communications Chief will be responsible for the daily management of the communications system including, but not limited to, preparation of the budget for approval by the board, immediate handling of system operational complaints, personnel matters and other duties as specified by the Commission or the Board.

Sec. 10-26. Implementation.

Prior to implementation, the Director of Public Safety shall select a secure site for review and acceptance of the Commission for the location of the Communication Facility.

Sec. 10-27. Definitions. As used within this chapter:

"Communications" may mean, but is not limited to, any contrivance used, designed, or intended for communications by telephone, radio, or other means.

"Communications Facility" may mean, but is not limited to, any facility located on land or in any structure that is used for communications purposes, which may be either stationary or mobile.

SECTION 2. This ordinance shall be in full force and effect from and after October 1, 1985.

PROPOSAL NO. 358, 1985. This proposal authorizes the City Controller to make a grant of \$10,000 to the Indianapolis Local Public Improvement Bond Bank. Councillor Coughenour explained that Proposal No. 358, 1985, is no longer needed and the Administration Committee on July 29, 1985, recommended Proposal No. 358, 1985, to be stricken by a vote of 5-0. Councillor Coughenour moved, seconded by Councillor Howard to strike Proposal No. 358, 1985. Proposal No. 358, 1985, was stricken by unanimous voice vote.

PROPOSAL NO. 375, 1985. This proposal authorizes changes in the personnel compensation schedule of the Marion County Assessor. Councillor Cottingham stated that there were not sufficient funds placed in the line of Inheritance Tax Deputy I to allow for a 4% increase as of January 1, 1985. The funds are made available through underspending in the line of Inheritance Tax Deputy II. The County and Townships Committee on July 30, 1985, recommended Proposal No. 375, 1985, Do Pass by a vote of 6-0. Councillor Cottingham moved, seconded by Councillor Giffin for adoption. Proposal No. 375, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Dowden, Page

Proposal No. 375, 1985, was retitled FISCAL ORDINANCE NO. 77, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 77, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the Marion County Assessor.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 2.02 (a)(1) of City-County Fiscal Ordinance No. 65, 1984, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	34,057	34,057
Chief Deputy	1	25,375	25,375
Second Deputy	1	20,280	20,280
Inheritance Tax Deputy I	2	18,221	32,388 32,516
Real Estate Deputy	1	18,096	18,096
Estate Deputy I	2	18,034	31,755
Inheritance Tax Deputy II	2	17,191	28,000 28,870
Real Estate Deputy II	2	11,960	19,373
Inheritance Tax Deputy III	1	11,960	11,960

Real Estate Deputy III		0
Temporary Salaries		4,177
Compensation of Board	_____	<u>2,000</u>
TOTAL	13	228,459

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 376, 1985. This proposal assigns the responsibility for public housing to the Division of Housing, Department of Metropolitan Development. Councillor Borst explained that the Metropolitan Development Committee heard Proposal No. 376, 1985, on July 24, 1985, and recommended it Do Pass As Amended by a vote of 6-0. But, since that time the Department of Metropolitan Development had requested that the Council postpone Proposal No. 376, 1985, until certain legal questions can be fully investigated and answered. Councillor Borst moved, seconded by Councillor Miller, to postpone Proposal No. 376, 1985, until the next meeting of the Council which will be on August 26, 1985. Consent was given to this motion.

PROPOSAL NO. 380, 1985. This proposal appoints Fred Johnston to the Ethics Board. Councillor McGrath reported that Mr. Johnston has served on the Ethics Board since its inception in 1977. He is the publisher of Construction Digest and also Finance Director of the Greater Indianapolis Republican Finance Committee. The Rules and Policy Committee on July 30, 1985, recommended Proposal No. 380, 1985, Do Pass by a vote of 6-0. Councillor McGrath moved, seconded by Councillor Gilmer for adoption. Proposal No. 380, 1985, was adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 19, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 19, 1985

A COUNCIL RESOLUTION appointing Fred Johnston to the Ethics Board.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. As a member of the Ethics Board the Council appoints:

FRED JOHNSTON, JR.

SECTION 2. The appointee shall serve at the pleasure of the Council for a term of two (2) years, ending April 12, 1987, or until a successor is duly appointed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 396, 1985. This proposal appoints Charles R. Chandler to the Equal Opportunity Advisory Board. Councillor Coughenour stated that it was found that Mr. Chandler would have a conflict of interest in serving on the Equal Opportunity Advisory Board and being employed at the Marion County Sheriff's Office. The Administration Committee on July 29, 1985, recommended Proposal No. 396, 1985, be stricken by a vote of 5-0. Councillor Coughenour moved, seconded by Councillor Journey to strike Proposal No. 396, 1985. The proposal was stricken by unanimous voice vote.

PROPOSAL NO. 421, 1985. This proposal transfers \$10,000 for the Division of Economic and Housing Development for increased supply expenses. Councillor Borst explained that the Division of Economic and Housing Development purchased personal computers and leased copy machines. The Division needs additional supplies for these new machines which were not anticipated during budget time last year. The lease plan has reduced expenses by approximately 35%. The Metropolitan Development Committee on July 24, 1985, recommended Proposal No. 421, 1985, Do Pass by a vote of 6-0. Councillor Borst moved, seconded by Councillor Crowe for adoption. Proposal No. 421, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

2 NOT VOTING: *Howard, Page*

Proposal No. 421, 1985, was retitled FISCAL ORDINANCE NO. 78, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 78, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Ten Thousand Dollars (\$10,000) in the Redevelopment General Fund for purposes of the Department of Metropolitan Development, Economic and Housing Division and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds for increased supply expenses for leased copy machines and personal computers to reduce other copy charges and ISA expenses.

SECTION 2. The sum of Ten Thousand Dollars (\$10,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:
DEPARTMENT OF METROPOLITAN DEVELOPMENT
ECONOMIC AND HOUSING DEVELOPMENT

REDEVELOPMENT GENERAL FUND

2. Supplies	<u>\$10,000</u>
TOTAL INCREASE	<u>\$10,000</u>

SECTION 4. The said increased appropriation is funded by the following reductions:
DEPARTMENT OF METROPOLITAN DEVELOPMENT
ECONOMIC AND HOUSING DIVISION

REDEVELOPMENT GENERAL FUND

3. Other Services & Charges	<u>\$10,000</u>
TOTAL REDUCTION	<u>\$10,000</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 422, 1985. This proposal authorizes the leasing of surplus property by the Parks Department. Councillor Durnil explained that a cabin located at 8561 Wilson Road was appraised at \$4,200, but the cabin is not liveable. A lease has been negotiated at a price of \$350 a month. However, if receipts of \$200 or more of improvements are filed with the Parks Department, the lease price will be \$150 per month. The Parks and Recreation Committee on July 25, 1985, recommended Proposal No. 422, 1985, Do Pass by a vote of 4-0. Councillor Durnil moved, seconded by Councillor Journey for adoption. Proposal No. 422, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, West
NO NAYS

4 NOT VOTING: Crowe, Howard, Page, Shaw

Proposal No. 422, 1985, was retitled SPECIAL RESOLUTION NO. 114, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 114, 1985

A SPECIAL RESOLUTION approving the leasing of certain real estate of the Department of Parks and Recreation.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council approves, pursuant to I.C. 36-1-11-3 the leasing of the following property by the Department of Parks and Recreation:

<u>Location</u>	<u>Appraised Value</u>	<u>Auction Bid Lease Value</u>	<u>Public Hearing Date</u>
8561 Wilson Road	\$4,200.00	\$4,200.00	December 16, 1982

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 425, 1985. This proposal transfers \$89.00 for Superior Court, Civil Division - Room 1 for personnel expenses. Councillor Dowden stated that these funds are being transferred from Character 2, Supplies to Character 1, Personal Services because there were insufficient funds in Character 1 to finish the year. The Public Safety and Criminal Justice Committee on July 24, 1985, recommended Proposal No. 425, 1985, Do Pass by a vote of 7-0. Councillor Dowden moved, seconded by Councillor Holmes for adoption. Proposal No. 425, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Howard, Page

Proposal No. 425, 1985, was retitled FISCAL ORDINANCE NO. 79, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 79, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Eighty-nine Dollars (\$89.00) in the County General Fund for purposes of the Marion County Superior Court, Civil Division - Room 1 and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(14) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds for personnel expenses.

SECTION 2. The sum of Eighty-nine Dollars (\$89.00) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

MARION COUNTY SUPERIOR COURT, CIVIL DIVISION - ROOM 1	COUNTY GENERAL FUND
1. Personal Services	\$89
TOTAL INCREASE	\$89

SECTION 4. The said increased appropriation is funded by the following reductions:

MARION COUNTY SUPERIOR COURT, CIVIL DIVISION - ROOM 1	COUNTY GENERAL FUND
2. Supplies	\$89
TOTAL REDUCTION	\$89

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(14) SUPERIOR COURT - CIVIL DIVISION - ROOM ONE - Dept. 66

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judge	1	17,153	17,153
Court Reporter	1	20,032	20,032
Bailiffs	2	15,225	28,115 29,204
Legal Research Assistant	1	16,693	16,693
Court Commissioner	1	13,923	13,923
Temporary			-0-
TOTAL	6		96,194 97,005

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 428, 1985. This proposal transfers \$43,000 for the Marion County Sheriff for overtime costs, the replacement of merit officers with correction officers and to purchase a replacement polygraph unit. Councillor Dowden outlined the transfer as follows: approximately \$91,000 is needed for overtime expenses, which will be met by a reduction of \$39,000 in building rent, due to the delayed completion of the new jail addition and increasing the vacancy factor by \$52,000; the vacancy factor will also be increased by \$5,930 due to the upgrading of six special deputies to first-year correctional officers; and approximately \$4,000 is for the purchase of a polygraph machine to replace a unit that is twelve years old. The Public Safety and Criminal Justice Committee on July 24, 1985, recommended Proposal No. 428, 1985, Do Pass by a vote of 7-0. Councillor Dowden moved, seconded by Councillor Hawkins for adoption. Proposal No. 428, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
1 NAY: *Curry*
2 NOT VOTING: *Howard, Page*

Proposal No. 428, 1985, was retitled FISCAL ORDINANCE NO. 80, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 80, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Forty-three Thousand Dollars (\$43,000) in the County General Fund for purposes of the Marion County Sheriff and reducing certain other appropriations for that division.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(7) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds for overtime costs, for the replacement of merit officers with correction officers due to the transfer to Eagle Creek and to purchase a replacement polygraph unit.

SECTION 2. The sum of Forty-three Thousand Dollars (\$43,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
1. Personal Services	\$39,000
4. Capital Outlay	<u>4,000</u>
TOTAL INCREASE	\$43,000

SECTION 4. The said increased appropriation is funded by the following reductions:

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
2. Supplies	\$ 4,000
3. Other Services & Charges	<u>39,000</u>
TOTAL REDUCTION	\$43,000

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(7) COUNTY SHERIFF - Dept. 18

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Sheriff	1	20,750	20,750
Executive Officer	1	37,500	37,500
Deputy Chief	5	35,500	177,500
Major	5	30,500	152,500
Captain	11	25,828	284,108
Lieutenant	32	24,173	773,536
Sergeant	94	23,015	2,163,410
Corporal	51	22,104	1,127,304
Deputy 3rd Year	250	21,610	5,402,500
First Deputy	1	31,990	31,990
Admin. Assistant	1	24,437	24,437
Major (Spec. Deputy)	1	21,695	21,695
Captain (Spec. Deputy)	1	19,388	19,388
Lieutenant (Spec. Deputy)	2	17,808	35,616
Sergeant (Spec. Deputy)	9	15,720	141,480
Deputy (Spec. Deputy)	34 28	13,979	47731286 436,576
Correct. Officer 2nd yr.	37	17,160	628,000
Correct. Officer 1st yr.	71 77	16,120	1,1444520 1,189,160
Crime Watch Coordinator	1	16,758	16,758
Chaplain	2	18,564	36,118
Executive Secretary	2	17,472	29,629
Division Secretary	5	11,002	55,010
Clerk/Typist	35	14,120	359,460
Chemist	1	17,500	17,500
Mechanic	9	19,388	159,750
Attendant	7	11,238	78,666
Merit Board			1,050
Reserve Salaries			700
Vacancy Factor			(505,825) (563,255)
Temporary Salaries			50,000
Overtime & Shift Differential			360309 451,309
Professional Salaries			22,900
Clothing Allowance			36,000
Longevity			331,980

Educational Bonus		99,500
M.C.L.E. Pension		1,679,823
Insurance:		
Health		596,460
Life Insurance		<u>41,946</u>
TOTAL	669	146,149,454 <u>16,168,754</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 432, 1985. This proposal changes speed limit controls on a portion of Rand Road. Councillor Gilmer reported that Proposal No. 432, was initiated by a citizen and after the study was conducted the Traffic Engineering Division recommended to change the speed limit to 35-40 MPH. The Transportation Committee on July 31, 1985, recommended Proposal no. 432, 1985, Do Pass by a vote of 7-0. Councillor Gilmer moved, seconded by Councillor McGrath for adoption. Proposal No. 432, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Giffin, Howard, Nickell, Page*

Proposal No. 432, 1985, was retitled GENERAL ORDINANCE NO. 54, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 54, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-136, Alteration of prima facie speed limits, be and the same is hereby amended by the addition of the following, to wit:

Rand Road, from Southern Avenue to Chief Lane, 35 MPH.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 433, 1985. This proposal changes parking controls on a portion of 15th Street. Councillor Gilmer explained that Proposal No. 433 was requested by the manager of the Hene Meat Company located at 131 West 15th Street. Vehicles were parking and blocking their entrance and delivery trucks were having difficulty maneuvering into the loading and unloading facilities. The Transportation Committee on July 31, 1985, recommended Proposal No. 433, 1985, Do Pass by a vote of 8-0. Councillor Gilmer moved, seconded by Councillor McGrath for adoption. Proposal No. 433, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

3 NOT VOTING: *Howard, Page, Schneider*

Proposal No. 433, 1985, was retitled GENERAL ORDINANCE NO. 55, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 55, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all time on certain streets.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all time on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Fifteenth Street, on the south side, from Muskingum Street to a point 85 feet west of Muskingum Street.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 434, 1985. This proposal changes intersection controls at Colby Boulevard and West 86th Street. Councillor Gilmer stated that Proposal No. 434, authorizes the installation of a traffic signal at the intersection of Colby Boulevard and West 86th Street. This area is undergoing a great deal of develop-

ment and a traffic signal is necessary. The Transportation Committee on July 31, 1985, recommended Proposal No. 434, 1985, Do Pass by a vote of 4-2-1. Councillor Gilmer moved, seconded by Councillor Rader for adoption. Proposal No. 434, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, Shaw, Stewart, Strader, West

NO NAYS

4 NOT VOTING: Clark, Howard, Page, SerVaas

Proposal No. 434, 1985, was retitled GENERAL ORDINANCE NO. 56, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 56, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
3, Pg. 2	Colby Bl. & W. 86th St.	W. 86th St.	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
3, Pg. 2	Colby Bl. & W. 86th St.	W. 86th St.	SIGNAL

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 435, 1985. This proposal enlarges an existing loading zone on a portion of Maryland Street. Councillor Gilmer explained that Proposal No. 435 enlarges an existing 50-foot loading zone to 66-feet for Business Furniture Corp-

oration to provide curb space for customer pick-ups and deliveries. This will eliminate one parking meter. The Committee did make some technical amendments to the proposal. The Transportation Committee on July 31, 1985, recommended Proposal No. 435, 1985, Do Pass As Amended by a vote of 7-0. Councillor Gilmer moved, seconded by Councillor Curry for adoption. Proposal No. 435, 1985, as amended, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

3 NOT VOTING: *Howard, Page, Schneider*

Proposal No. 435, 1985, as amended, was retitled GENERAL ORDINANCE NO. 57, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 57, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-331, Passenger and materials loading zones, be and the same is hereby amended by the deletion of the following, to wit:

Maryland Street, on the south side, from a point 53 feet east of Pennsylvania Street to a point 103 feet east of Pennsylvania Street.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-331, Passenger and materials loading zones, be and the same is hereby amended by the addition of the following, to wit:

Maryland Street, on the south side, from a point 37 feet east of Pennsylvania Street to a point 103 feet east of Pennsylvania Street.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 436, 1985. This proposal establishes a loading zone on a portion of Ohio Street. Councillor Gilmer stated that this would be an 80-foot loading zone on the south side of Ohio Street west of Alabama Street. It was requested

by Phillip R. Duke Associates, Inc. and will serve the Two Market Square Center. The Transportation Committee on July 31, 1985, recommended Proposal No. 436, 1985, Do Pass by a vote of 7-0. Councillor Gilmer moved, seconded by Councillor McGrath for adoption. Proposal No. 436, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Strader, West*
NO NAYS

4 NOT VOTING: *Howard, Page, Schneider, Stewart*

Proposal No. 436, 1985, was retitled GENERAL ORDINANCE NO. 58, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 58, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-331, Passenger and materials loading zones, be and the same is hereby amended by the addition of the following, to wit:

Ohio Street, on the south side, from a point 35 feet west of Alabama Street to a point 115 feet west of Alabama Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 437, 1985. This proposal establishes a loading zone on a portion of Market Street. Councillor Gilmer described the loading zone as a 49-foot loading zone located on the south side of Market Street east of Capitol Avenue. It was requested by Bookland, Inc. to provide curb space for customer pick-ups and deliveries. The Transportation Committee on July 31, 1985, recommended Proposal No. 437, 1985, Do Pass by a vote of 7-0.

Councillor McGrath stated that during discussion of Proposal No. 437 by the Transportation Committee meeting, he had been assured that this was a "clean"

bookstore. Councillor McGrath had since visited the bookstore. In the back of the bookstore in a section clearly marked "Adult" he observed a great deal of pornographic material. Councillor McGrath moved, seconded by Councillor Rhodes, to strike Proposal No. 437, 1985.

Councillor West asked Mr. Fred Madorin, Director of the Department of Transportation, if it was the policy of the Transportation Board to grant loading zones to other bookstores for customer convenience as an alternative to the additional revenue of parking meters. Mr. Madorin responded that the Transportation Board has granted loading zones to other bookstores. He pointed out that this particular bookstore had a loading zone prior to the reconstruction of Market Street and the greatest need was for deliveries, not customer pick-ups. Councillor Journey moved, seconded by Councillor Gilmer, to send Proposal No. 437, 1985, back to committee for further study. The motion failed by voice vote.

Proposal No. 437, 1985, was stricken on the following roll call vote; viz:

16 AYES: Borst, Bradley, Clark, Coughenour, Dowden, Durnil, Giffin, Holmes, McGrath, Miller, Nickell, Rhodes, Schneider, Stewart, Strader, West

11 NAYS: Boyd, Campbell, Cottingham, Crowe, Curry, Gilmer, Hawkins, Journey, Rader, SerVaas, Shaw

2 NOT VOTING: Howard, Page

SPECIAL SERVICE DISTRICT COUNCILS

POLICE SPECIAL SERVICE DISTRICT COUNCIL

The President called the Police Special Service District Council to order at 9:35 p.m. Twenty-eight members being present, he announced a quorum.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 344, 1985. This is a proposal for a police special service district general ordinance amending the Code concerning the merit system for members of the Indianapolis Police Department. Councillor Dowden requested that Proposal No. 344, 1985, be postponed in Council until the Council meeting of August 26, 1985. Consent was given.

There being no further business the Police Special Service District Council adjourned at 9:36 p.m.

President SerVaas reconvened the meeting of the City-County Council at 9:36 p.m.

PENDING PROPOSALS

PROPOSAL NO. 368, 1985. This proposal establishes an Emergency Communications Agency to provide a countywide emergency communication system. Councillor West consented to the striking of this proposal due to the passage of Proposal No. 295, 1985, which established a Metropolitan Emergency Communications Agency and an Indianapolis Public Safety Communications Commission. Proposal No. 368, 1985, was stricken by consent.

ANNOUNCEMENTS AND ADJOURNMENT

Councillor Coughenour announced that the Administration Committee meeting scheduled for August 8, 1985, at 1:00 p.m., would be starting at 9:00 a.m.

There being no further business and upon motion duly made and seconded, the meeting adjourned at 9:41 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis, Police, Fire and Solid Waste Collection Special Service District Councils on the 5th day of August, 1985.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President



Clerk of the City-County Council

ATTEST:

(SEAL)

A

**MINUTES OF THE CITY-COUNTY COUNCIL
AND SPECIAL SERVICE DISTRICT COUNCILS
OF INDIANAPOLIS, MARION COUNTY, INDIANA**

REGULAR MEETINGS - MONDAY, AUGUST 26, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:12 p.m., on Monday, August 26, 1985, with Councillor SerVaas presiding.

The meeting was opened with a Prayer that was given by the Honorable Edwin J. Simcox, Indiana Secretary of State, and the Pledge of Allegiance to the Flag by Councillor Kenneth N. Giffin.

ROLL CALL

Councillor SerVaas instructed the Clerk to take the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

Twenty-nine members being present, he announced a quorum was present.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Dowden introduced Matthew Lurton of Boy Scout Troup 441, who is presently working on his citizenship award and his father, Mr. Lee Lurton. Councillor Borst recognized the "Mayor" of Garfield Park, Mrs. Marjorie Nackenhorst. Councillor Howard introduced a friend of his Mr. Greg Porter and President SerVaas introduced Dr. Philip Wickern, Associate Professor, St. Paul's

College, University of Manitoba, who is with us from Winnipeg to compare our unified governmental system to their Unicity system.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

**TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE,
FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT
COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,
INDIANA:**

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, August 26, 1985, at 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

**s/Beurt SerVaas, President
City-County Council**

August 13, 1985

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on August 16, 1985, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 464, 1985, to be held on Monday, August 26, 1985, at 7:00 p.m., in the City-County Building.

Respectfully,

**s/Beverly S. Rippy
City Clerk**

August 13, 1985

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

Notice is hereby given that upon publication of Regulations 85-01 and 85-02 filed by the Transportation Board of the Consolidated City of Indianapolis on August 13, shall within 30 days become effective unless the City-County Council prior to that time amends the regulations or suspends their effective date.

Respectfully,

s/Beverly S. Rippy
City Clerk

August 7, 1985

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 71, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Fifty-three Thousand Dollars (\$53,000) in the County General Fund for purposes of the County Administrator and reducing certain other appropriations for the County Auditor.

FISCAL ORDINANCE NO. 72, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional One Thousand Dollars (\$1,000) in the County General Fund for purposes of the Pike Township Assessor and reducing certain other appropriations for the Marion County Auditor.

FISCAL ORDINANCE NO. 73, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Eighty-five Thousand Dollars (\$85,000) in the Park General Fund for purposes of the Department of Parks and Recreation Divisions and reducing the unappropriated and unencumbered balance in the Park General Fund.

FISCAL ORDINANCE NO. 74, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Eighty Thousand Dollars (\$80,000) in the County General Fund for purposes of the Presiding Judge of the Municipal Court and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 75, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Two Hundred Twenty Thousand Four Hundred Eighty-four Dollars (\$220,484) in the State and Federal Grant Fund for purposes of the Marion County Prosecuting Attorney and County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 76, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twenty-two Thousand Four Hundred Sixty Dollars (\$22,460) in the County General

Fund for purposes of the Marion County Prosecutor and County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 77, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the Marion County Assessor.

FISCAL ORDINANCE NO. 78, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Ten Thousand Dollars (\$10,000) in the Redevelopment General Fund for purposes of the Department of Metropolitan Development, Economic and Housing Division and reducing certain other appropriations for that division.

FISCAL ORDINANCE NO. 79, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Eighty-nine Dollars (\$89.00) in the County General Fund for purposes of the Marion County Superior Court, Civil Division - Room 1 and reducing certain other appropriations for that division.

FISCAL ORDINANCE NO. 80, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Forty-three Thousand Dollars (\$43,000) in the County General Fund for purposes of the Marion County Sheriff and reducing certain other appropriations for that division.

GENERAL ORDINANCE NO. 53, 1985, establishing a Metropolitan Emergency Communications Agency and an Indianapolis Public Safety Communications Commission.

GENERAL ORDINANCE NO. 54, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-136, Alteration of prima facie speed limits.

GENERAL ORDINANCE NO. 55, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 56, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 57, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

GENERAL ORDINANCE NO. 58, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

SPECIAL RESOLUTION NO. 113, 1985, honoring The Rocky Shore Gospel Singers.

SPECIAL RESOLUTION NO. 114, 1985, approving the leasing of certain real estate of the Department of Parks and Recreation.

Respectfully submitted,

s/William H. Hudnut, III

ADOPTION OF AGENDA

Consent was given for the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of August 26, 1985.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS,
AND COUNCIL RESOLUTIONS --

PROPOSAL NO. 517, 1985. This proposal honors the Home Owner's Maintenance Enterprise Program. Councillor McGrath explained that the program involved several volunteers and civic and neighborhood groups who participated in helping paint the homes of low-income elderly persons, who could not do it for themselves. Councillor McGrath announced that Councillors Bradley, Crowe, Hawkins and Curry also participated in this program. Councillor McGrath moved, seconded by Councillor Crowe for adoption. Proposal No. 517, 1985, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 115, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 115, 1985

A SPECIAL RESOLUTION honoring the Home Owner's Maintenance Enterprise Program.

WHEREAS, on Saturday, August 17, 1985 over one hundred (100) volunteers from eighteen (18) civic and neighborhood groups participated in helping paint the homes of low-income elderly persons without the financial or physical resources to maintain their homes as part of a Paint Up/Fix Up Program; and

WHEREAS, the paint which was supplied through community development block grant funds and applied by volunteers has saved each homeowner at least one thousand dollars (\$1,000); and

WHEREAS, both participants and recipients were rewarded by the day long community effort; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis - Marion County City-County Council recognizes the Mary Rigg Neighborhood Center, the Hawthorne Social Service Association, the Christamore House, and the West Washington Street Presbyterian Church for their sponsorship and coordination of the Paint Up/Fix Up Program.

SECTION 2. The Council further recognizes Reverend John Koppitch, Marie Kenley, Christine Glancy, John Z. Eaglesfield, Greg Porter and Robert J. Burghbacher for their efforts in helping to provide this service to the low-income elderly.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 482, 1985. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the issuance of a \$400,000 Economic Development Revenue Bond, Series A and a \$400,000 Economic Development Revenue Bond, Series B both for United Brake Systems, Inc. Project"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 497, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE approving and confirming the franchise contract between the City of Indianapolis and Omega Satellite Products Co."; and the President referred it to the Administration Committee.

PROPOSAL NO. 498, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$155,000 for the Clerk of the Circuit Court to purchase voting machines for additional precincts"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 499, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing changes in the personnel schedule of the Marion County Coroner"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 500, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$1,294 for the Decatur Township Assessor to purchase equipment"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 501, 1985. Introduced by Councillor Clark. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Airport Authority District of Indianapolis, Indiana"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 502, 1985. Introduced by Councillor Clark. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION reviewing, modifying and approving the operating budget of the Capital Improvement Board of Managers of Marion County, Indiana"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 503, 1985. Introduced by Councillor Clark. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County, Indiana"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 504, 1985. Introduced by Councillor Clark. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis-Marion County Public Library Board of Marion County, Indiana"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 505, 1985. Introduced by Councillor Clark. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Public Transportation Corporation of Marion County, Indiana"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 506, 1985. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the leasing of surplus property by the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 507, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating

\$37,744 for the Marion County Prosecuting Attorney for various grants"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 508, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$2,000 for Superior Court, Criminal Division, Room 1 to fund a two week seminar"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 509, 1985. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE amending the Indianapolis Cumulative Capital Development Fund to include new purposes"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 510, 1985. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE amending the Marion County Cumulative Capital Development Fund to include new purposes"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 511, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing various parking controls on portions of Fort Wayne Avenue, Alabama Street, Indiana Avenue, Meridian Street, Wabash Street and Pearl Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 512, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing various parking controls on portions of Illinois Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 513, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing various parking controls on portions of Senate and Capital Avenues, Thirteenth, Fourteenth, Fifteenth and Twentieth Streets"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 514, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on portions of Pennsylvania and Delaware Streets"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 515, 1985. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at North Audubon Road and East 38th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 516, 1985. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE adding a new section to the Code designating certain streets as "No Cruising" areas"; and the President referred it to the Transportation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 477, 1985. This proposal is for a final bond ordinance authorizing the issuance of \$4,250,000 Economic Development Revenue Bonds for 129 Market Associates, Ltd. Project. The project is the acquisition and renovation of an existing 12 story building located at 129 East Market Street for use as office space and 35% is occupied by Midwest National Bank. Councillor Schneider stated that the amount of the original inducement resolution was \$3,250,000. The cost estimates have been revised and more extensive renovation of certain parts of the building than was originally estimated, which have increased the final bond ordinance to \$4,250,000. The bond financing contains the following documents: Loan Agreement, Indenture of Trust, Bond Purchase Agreement, Mortgage and Security Agreement, Assignment of Rents and Leases, Guaranty Agreement and Letter of Credit. Interest is calculated at 10.05% payable monthly and adjusted quarterly commencing October 1, 1985. Principal is due September 1, 2010. The Economic Development Committee on August 21, 1985, recommended Proposal No. 477, 1985, Do Pass by a vote of 4-0. Councillor Schneider moved, seconded by Councillor Durnil for adoption. Proposal No. 477, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

2 NOT VOTING: Cottingham, McGrath

Proposal No. 477, 1985, was retitled SPECIAL ORDINANCE NO. 39, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 39, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (129 Market Associates, Ltd. Project) in the aggregate principal amount of Four Million Two Hundred Fifty Thousand Dollars (\$4,250,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for 129 Market Associates, Ltd., an Indiana limited partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on August 21, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by 129 Market Associates, Ltd., an Indiana limited partnership (the "Company") consisting of the acquisition, renovation, installation and equipping of the existing 12 story office building commonly known as the Midwest National Bank Building containing approximately 72,155 square feet of gross building area and the machinery and equipment to be installed therein plus certain site improvements to be located at 123-129 East Market Street, Indianapolis, Indiana on approximately 0.12 acres of land which will be leased for general office use including banking (the "Project") which will be initially owned and operated by 129 Market Associates, Ltd., an Indiana limited partnership complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Indenture of Trust, Bond Purchase Agreement, Mortgage and Security Agreement, Assignment of Rents and Leases, Guaranty Agreement, Letter of Credit and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (129 Market Associates, Ltd. Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement consisting of the acquisition, renovation, installation and equipping of the existing 12 story office building commonly known as

the Midwest National Bank Building containing approximately 72,155 square feet of gross building area and the machinery and equipment to be installed therein plus certain site improvements to be located at 123-129 East Market Street, Indianapolis, Indiana on approximately 0.12 acres of land which will be leased for general office use including banking previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to 129 Market Associates, Ltd., an Indiana limited partnership for the purposes of financing the economic development facilities being acquired, renovated, installed and equipped or to be acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by 129 Market Associates, an Indiana limited partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of IC 36-7-12.

SECTION 2. The forms of the Loan Agreement, Indenture of Trust, Bond Purchase Agreement, Mortgage and Security Agreement, Assignment of Rents and Leases, Guaranty Agreement, Letter of Credit and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (129 Market Associates, Ltd. Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Indenture of Trust, Bond Purchase Agreement, Mortgage and Security Agreement, Assignment of Rents and Leases, Guaranty Agreement, Letter of Credit and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (129 Market Associates, Ltd. Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds (129 Market Associates, Ltd. Project) in the aggregate principal amount of Four Million Two Hundred Fifty Thousand Dollars (\$4,250,000) for the purpose of procuring funds to loan to 129 Market Associates, Ltd., an Indiana limited partnership in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by 129 Market Associates, Ltd., an Indiana limited partnership on its Promissory Note in the principal amount of Four Million Two Hundred Fifty Thousand Dollars (\$4,250,000), which will be executed and delivered by 129 Market Associates, Ltd., an Indiana limited partnership to evidence and secure said loan, and as otherwise provided in the above described Loan Agreement, Indenture of Trust, Bond Purchase Agreement, Mortgage and Security Agreement, Assignment of Rents and Leases, Guaranty Agreement and Letter of Credit. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Indenture of Trust and Bond Purchase Agreement, provided, however, that the interest rate shall in no event exceed 30% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Indenture of Trust, Bond Purchase Agreement, the City of Indianapolis, Indiana Economic Development Revenue Bonds (129 Market Associates, Ltd. Project), and the Endorsement to the Promissory Note approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other

document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Indenture of Trust and Bond Purchase Agreement. The Mayor and City Clerk may by their execution of the Loan Agreement, Indenture of Trust, Bond Purchase Agreement, the Endorsement to Promissory Note and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the Promissory Note, Mortgage and Security Agreement, Assignment of Rents and Leases, Guaranty Agreement and Letter of Credit without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Bond Purchase Agreement and Indenture of Trust shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds (129 Market Associates, Ltd. Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 478, 1985. This proposal is for a final bond ordinance authorizing the issuance of \$765,000 Economic Development Revenue Bonds, Series 1985 for Lockerbie Partners Ltd. Project. Councillor Schneider stated that this project will be the acquisition and construction of fifteen residential rental units with a total square footage of 22,000 to be located at 618 Vermont Place. The bond financing contains the following documents: Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture, Land Use Restriction Agreement and Conditional Assignment of Leases and Rentals. The interest rate will be 80% of the prime rate of interest of Indiana National Bank through August 31, 1986 and 75% of the prime rate of interest of Indiana National Bank commencing September 1, 1986. The final payment is due September 1, 1996. The Economic Development Committee on August 21, 1985, recommended Proposal No. 478, 1985, Do Pass by a vote of 5-0-1. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 478, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

3 NOT VOTING: *Clark, Cottingham, McGrath*

Proposal No. 478, 1985, was retitled SPECIAL ORDINANCE NO. 40, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 40, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Lockerbie Partners Ltd. Project)" in the aggregate principal amount of Seven Hundred Sixty-five Thousand Dollars (\$765,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Lockerbie Partners Ltd., an Indiana limited partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on August 21, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the permanent financing of certain economic development facilities to be developed by Lockerbie Partners Ltd., an Indiana limited partnership (the "Company") consisting of the acquisition, renovation, installation and equipping of fifteen residential rental units having a total of approximately 22,000 gross square feet plus certain site improvements located at 168 Vermont Place, Indianapolis, Indiana (the "Project") which will be initially owned and operated by Lockerbie Partners Ltd., an Indiana limited partnership complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture, Land Use Restriction Agreement, Conditional Assignment of Leases and Rents and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Lockerbie Partners Ltd. Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the permanent financing of the economic development facilities referred to in the Loan Agreement, Mortgage and Security Agreement consisting of the acquisition, construction, installation and equipping of fifteen residential rental units having a total of approximately 22,000 gross square feet plus certain site improvements located at 618 Vermont Place, Indianapolis, Indiana previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Lockerbie Partners Ltd., an Indiana limited partnership for the purposes of financing the economic development facilities being acquired,

constructed, installed and equipped or to be acquired, constructed, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Lockerbie Partners Ltd., an Indiana limited partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of IC 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture, Land Use Restriction Agreement, Conditional Assignment of Leases and Rentals and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Lockerbie Partners Ltd. Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture, Land Use Restriction Agreement, Conditional Assignment of Leases and Rentals and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Lockerbie Partners Ltd. Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1985 (Lockerbie Partners Ltd. Project) in the aggregate principal amount of Seven Hundred Sixty-five Thousand Dollars (\$765,000) for the purpose of procuring funds to loan to Lockerbie Partners Ltd., an Indiana limited partnership in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Lockerbie Partners Ltd., an Indiana limited partnership on its First Mortgage Note Series 1985 in the principal amount of Seven Hundred Sixty-five Thousand Dollars (\$765,000), which will be executed and delivered by Lockerbie Partners Ltd., an Indiana limited partnership to evidence and secure said loan, and as otherwise provided in the above described Trust Indenture and Loan Agreement, Mortgage and Security Agreement and Conditional Assignment of Leases and Rentals. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Trust Indenture and the Bonds, provided, however, that the interest rate shall in no event exceed 30% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Land Use Restriction Agreement, the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Lockerbie Partners Ltd. Project), and the Endorsement to the First Mortgage Note Series 1985 approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Trust Indenture, Loan Agreement, Mortgage and Security Agreement, Land Use Restriction

Agreement, the Endorsement to First Mortgage Note Series 1985 and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the First Mortgage Note Series 1985 and Conditional Assignment of Leases and Rentals without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds, Series 1985 (Lockerbie Partners Ltd. Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 479, 1985. This proposal is for a final bond ordinance authorizing the issuance of \$1,750,000 Economic Development Revenue Bonds, Series 1985 for Massachusetts Avenue Historical Partners Project. Councillor Schneider outlined the project as the acquisition and renovation of an existing three story building plus a basement to be located at 345 Massachusetts Avenue to provide 40,000 square feet to be leased as office space. The bond financing contains the following documents: Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture and Conditional Assignment of Leases and Rentals. The interest rate will be 80% of the prime rate of interest of Indiana National Bank through August 31, 1986 and 75% of the prime rate of interest of Indiana National Bank commencing September 1, 1986. The final payment is due September 1, 1996. The Economic Development Committee on August 21, 1985, recommended Proposal No. 479, 1985, Do Pass by a vote of 5-0-1. Councillor Schneider moved, seconded by Councillor Crowe for adoption. Proposal No. 479, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Cottingham, Curry, Howard, McGrath*

Proposal No. 479, 1985, was retitled SPECIAL ORDINANCE NO. 41, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 41, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Massachusetts Avenue Historical Partners Project)" in the aggregate principal amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Massachusetts Avenue Historical Partners, an Indiana limited partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on August 21, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Massachusetts Avenue Historical Partners, an Indiana limited partnership (the "Company") consisting of the acquisition, renovation, installation and equipping of the existing three story building plus a basement and the machinery and equipment to be installed therein plus certain site improvements located at 345 Massachusetts Avenue, Indianapolis, Indiana to provide approximately 40,000 square feet of space which will be leased for office space (the "Project") which will be initially owned and operated by Massachusetts Avenue Historical Partners, an Indiana limited partnership complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture, Conditional Assignment of Leases and Rentals and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Massachusetts Avenue Historical Partners Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement, Mortgage and Security Agreement consisting of the acquisition, renovation, installation and equipping of the existing three story building plus basement and the machinery and equipment to be installed therein plus certain site improvements located at 345 Massachusetts Avenue, Indianapolis, Indiana to provide approximately 40,000 square feet of space which will be leased for office space previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Massachusetts Avenue Historical Partners, an Indiana limited partnership for the purposes of financing the economic development facilities being acquired, renovated, installed and equipped or to be acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Massachusetts Avenue Historical Partners, an Indiana limited

partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of IC 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture, Conditional Assignment of Leases and Rentals and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Massachusetts Avenue Historical Partners Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture, Conditional Assignment of Leases and Rentals and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Massachusetts Avenue Historical Partners Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1985 (Massachusetts Avenue Historical Partners Project) in the aggregate principal amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) for the purpose of procuring funds to loan to Massachusetts Avenue Historical Partners, an Indiana limited partnership in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Massachusetts Avenue Historical Partners, an Indiana limited partnership on its First Mortgage Note Series 1985 in the principal amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000), which will be executed and delivered by Massachusetts Avenue Historical Partners, an Indiana limited partnership to evidence and secure said loan, and as otherwise provided in the above described Trust Indenture and Loan Agreement, Mortgage and Security Agreement and Conditional Assignment of Leases and Rentals. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Trust Indenture and the Bonds, provided, however, that the interest rate shall in no event exceed 30% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Massachusetts Avenue Historical Partners Project), and the Endorsement to the First Mortgage Note Series 1985 approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Trust Indenture, Loan Agreement, Mortgage and Security Agreement, the Endorsement to First Mortgage Note Series 1985 and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the First Mortgage Note

Series 1985 and Conditional Assignment of Leases and Rentals without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds, Series 1985 (Massachusetts Avenue Historical Partners Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 480, 1985. This proposal is for a final bond ordinance authorizing the issuance of \$850,000 Economic Development Revenue Bonds, Series 1985 for Young & Young Liberty Building Partnership Project. Councillor Schneider stated that the project consists of the acquisition and renovation of approximately 10,000 square feet of an existing building and the construction of approximately 2,800 square feet to be located at 120-128 North Delaware Street. The bond financing contains the following documents: Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture, Guaranty Agreement and Leases. There will be two bonds of \$425,000 each. The interest rate will be 10.5% on one bond and 75% of the prime rate of interest of American Fletcher National Bank and Trust Company on the other commencing September 1, 1985. Principal payments of \$1,770.83 commence October 1, 1985 with the final payment on September 1, 2005. The Economic Development Committee on August 21, 1985, recommended Proposal No. 480, 1985, Do Pass by a vote of 5-0-1. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 480, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Cottingham, Howard, McGrath, Schneider*

Proposal No. 480, 1985, was retitled SPECIAL ORDINANCE NO. 42, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 42, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Young & Young Liberty Building Partnership Project)" in the aggregate principal amount of Eight Hundred Fifty Thousand Dollars (\$850,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Young & Young Liberty Building Partnership, an Indiana general partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on August 21, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the permanent financing of certain economic development facilities to be developed by Young & Young Liberty Building Partnership, an Indiana general partnership (the "Company") consisting of the acquisition, renovation, construction, installation and equipping of an existing building by the renovation of approximately 10,000 square feet and new construction of approximately 2,800 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 120-128 North Delaware Street, Indianapolis, Indiana which will be used approximately 80% for various professional offices including law offices (including the law offices of Young & Young) and approximately 20% for retail commercial space (the "Project") which will be initially owned and operated by Young & Young Liberty Building Partnership, an Indiana general partnership complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture, Guaranty Agreement, Leases and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Young & Young Liberty Building Partnership Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement, Mortgage and Security Agreement consisting of the acquisition, renovation, construction, installation and equipping of an existing building by the renovation of approximately 10,000 square feet and new construction of approximately 2,800 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 120-128 North Delaware Street, Indianapolis, Indiana which will be used approximately 80% for various professional offices including law offices (including the law offices of Young & Young) and approximately 20% for retail commercial space previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Young & Young Liberty Building Partnership, an Indiana general partnership for the purposes of financing the economic development facilities being acquired, renovation,

installed and equipped or to be acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Young & Young Liberty Building Partnership, an Indiana general partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of IC 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture, Guaranty Agreement, Leases and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Young & Young Liberty Building Partnership Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture, Guaranty Agreement, Leases and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Young & Young Liberty Building Partnership Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1985 (Young & Young Liberty Building Partnership Project) in the aggregate principal amount of Eight Hundred Fifty Thousand Dollars (\$850,000) for the purpose of procuring funds to loan to Young & Young Liberty Building Partnership, an Indiana general partnership in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Young & Young Liberty Building Partnership, an Indiana general partnership on its First Mortgage Note Series 1985 in the principal amount of Eight Hundred Fifty Thousand Dollars (\$850,000), which will be executed and delivered by Young & Young Liberty Building Partnership, an Indiana general partnership to evidence and secure said loan, and as otherwise provided in the above described Trust Indenture and Loan Agreement, Mortgage and Security Agreement, Guaranty Agreement and Leases. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Trust Indenture and the Bonds, provided, however, that the interest rate shall in no event exceed 30% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Young & Young Liberty Building Partnership Project), and the Endorsement to the First Mortgage Note Series 1985 approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Trust Indenture, Loan Agreement, Mortgage and Security Agreement, the Endorsement to First

Mortgage Note Series 1985 and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the First Mortgage Note Series 1985, Guaranty Agreement and Leases without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds, Series 1985 (Young & Young Liberty Building Partnership Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 481, 1985. This proposal is for a final bond ordinance authorizing the issuance of a \$1,335,000 Economic Development Revenue Bond for Web Realty of Indianapolis, Ltd. Project. This project is the acquisition and construction of a building containing approximately 32,400 square feet to be located at 6803 North Coffman Road, which will be used in the Company's manufacturing business. The bond financing contains the following documents: Loan, Mortgage and Security Agreement, Guaranty Agreement, Bond Purchase Agreement and Promissory Note. The interest rate will be 77.5% of the prime rate of the State Street Bank and Trust Company plus 3/4% . Principal payments of \$22,250 are due quarterly commencing January 1, 1986, with the final payment on October 1, 1995. The Economic Development Committee on August 21, 1985, recommended Proposal No. 481, 1985, Do Pass by a vote of 5-0-1. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 481, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

3 NOT VOTING: *Cottingham, Giffin, McGrath*

Proposal No. 481, 1985, was retitled SPECIAL ORDINANCE NO. 43, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 43, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project)" in the principal amount of One Million Three Hundred Thirty-five Thousand Dollars (\$1,335,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Web Realty of Indianapolis, Ltd., a limited partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on August 21, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Web Realty of Indianapolis, Ltd., a limited partnership (the "Company") consisting of the acquisition, construction, installation and equipping of a building containing approximately 32,400 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 6803 North Coffman Road, Indianapolis, Indiana on approximately 7.88 acres of land which will be used by Web Converting of Indianapolis, Inc. to provide a manufacturing service consisting of slitting and rewinding, sheeting, cutting, printing and coating to a broad range of industry (the "Project") which will be initially owned by Web Realty of Indianapolis, Ltd., a limited partnership and operated by Web Converting of Indianapolis, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan, Mortgage and Security Agreement, Guaranty Agreement, Bond Purchase Agreement, Promissory Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan, Mortgage and Security Agreement consisting of the acquisition, construction, installation and equipping of a building containing approximately 32,400 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 6803 North Coffman Road, Indianapolis, Indiana on approximately 7.88 acres of land which will be used by Web Converting of Indianapolis, Inc. to provide a manufacturing service consisting of slitting and rewinding, sheeting, cutting, printing and coating to a broad range of industry previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Web Realty of Indianapolis, Ltd., a limited partnership for the purposes of financing the economic development facilities being acquired, constructed, installed and equipped or to be acquired, constructed, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Web Realty of Indianapolis, Ltd., a limited partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of IC 36-7-12.

SECTION 2. The forms of the Loan, Mortgage and Security Agreement, Guaranty Agreement, Bond Purchase Agreement, Promissory Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan, Mortgage and Security Agreement, Guaranty Agreement, Bond Purchase Agreement, Promissory Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project) in the principal amount of One Million Three Hundred Thirty-five Thousand Dollars (\$1,335,000) for the purpose of procuring funds to loan to Web Realty of Indianapolis, Ltd., a limited partnership in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan, Mortgage and Security Agreement incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Web Realty of Indianapolis, Ltd., a limited partnership on its Promissory Note in the principal amount of One Million Three Hundred Thirty-five Thousand Dollars (\$1,335,000), which will be executed and delivered by Web Realty of Indianapolis, Ltd., a limited partnership to evidence and secure said loan, and as otherwise provided in the above described Loan, Mortgage and Security Agreement and Guaranty Agreement. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bond to the purchaser thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Bond Purchase Agreement and the Bond, provided, however, that the interest rate shall in no event exceed 30% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan, Mortgage and Security Agreement, Bond Purchase Agreement, Guaranty Agreement, the City of Indianapolis, Indiana Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project), and the Endorsement to the Promissory Note approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser thereof payment for which will be made in the manner set forth in the Bond Purchase Agreement. The Mayor and City Clerk may by their execution of the Loan, Mortgage and Security Agreement, Bond Purchase Agreement, the Endorsement to Promissory Note, Guaranty Agreement and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in the Promissory Note without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Bond Purchase Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project) and after the issuance of said Bond this ordinance shall not be repealed or amended in

any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 483, 1985. This is a proposal for a final bond ordinance authorizing the issuance of \$13,100,000 Economic Development Revenue Bonds for Indianapolis Historical Partners, L.P. Project. Councillor Schneider reviewed the project as the renovation of eight buildings in the downtown area for multi-family residential housing. The bond financing contains the following documents: Loan Agreement, Mortgage and Security Agreement, First Mortgage Note, Trust Indenture, Land Use Restriction Agreement and Collateral Assignment of Leases and Rentals. The interest rate will be 12.25% on March 1, and September 1, through September 1, 1995; then principal and interest will be payable February 1, and August 1, each year commencing February 1, 1996 and ending on February 1, 2005. The Economic Development Committee on August 21, 1985, recommended Proposal 483, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 483, 1985, was adopted on the following roll call vote; viz:

23 AYES: Borst, Boyd, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

NO NAYS

6 NOT VOTING: Bradley, Cottingham, Giffin, McGrath, Nickell, Strader

Proposal No. 483, 1985, was retitled SPECIAL ORDINANCE NO. 44, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 44, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (Indianapolis Historical Partners, L.P. Project)" in the aggregate principal amount of Thirteen Million One Hundred Thousand Dollars (\$13,100,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed permanent financing of economic development facilities for Indianapolis Historical Partners, L.P. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on August 21, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the permanent financing of certain economic development facilities to be developed by Indianapolis Historical Partners, L.P., an Indiana limited partnership (the "Company") consisting of the acquisition, renovation, installation and equipping of various existing buildings all located in the City of Indianapolis, Indiana:

1. The Pennsylvania, located at 919 N. Pennsylvania St. which will contain 14 multi-family residential rental units;
2. The Spink, located at 1433 N. Pennsylvania St. which will contain 58 multi-family residential rental units;
3. The Van Dyke, located at 1229 N. Pennsylvania St. which will contain 26 multi-family residential rental units;
4. The Raleigh, located at 108 E. 13th St. on the northeast corner of the intersection of E. 13th St. and N. Pennsylvania St. which will contain 70 multi-family residential rental units;
5. The Plaza, located at 902 N. Pennsylvania St. on the northwest corner of the intersection of E. 9th St. and N. Pennsylvania St. which will contain 27 multi-family residential rental units plus approximately 6,782 square feet of space which will be leased for commercial uses;
6. The Ambassador, located at 39 E. 9th St. which will contain 60 multi-family residential rental units plus approximately 6,560 square feet of space which will be leased for commercial uses;
7. The Dartmouth, located at 221 E. Michigan St. which will contain 42 multi-family residential rental units;
8. The McKay, located at 611 N. Pennsylvania St. which will contain 24 multi-family residential rental units;

(the "Project") which will be initially owned and operated by Indianapolis Historical Partners, L.P., an Indiana limited partnership complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note, Trust Indenture, Land Use Restriction Agreement, Collateral Assignment of Leases and Rentals and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (Indianapolis Historical Partners, L.P. Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the permanent financing of the economic development facilities referred to in the Loan Agreement, Mortgage and Security Agreement consisting of the acquisition, renovation, installation and equipping of various existing buildings all located in the City of Indianapolis, Indiana:

1. The Pennsylvania, located at 919 N. Pennsylvania St. which will contain 14 multi-family residential rental units;
2. The Spink, located at 1433 N. Pennsylvania St. which will contain 58 multi-family residential rental units;

3. The Van Dyke, located at 1229 N. Pennsylvania St. which will contain 26 multi-family residential rental units;
4. The Raleigh, located at 108 E. 13th St. on the northeast corner of the intersection of E. 13th St. and N. Pennsylvania St. which will contain 70 multi-family residential rental units;
5. The Plaza, located at 902 N. Pennsylvania St. on the northwest corner of the intersection of E. 9th St. and N. Pennsylvania St. which will contain 27 multi-family residential rental units plus approximately 6,782 square feet of space which will be leased for commercial uses;
6. The Ambassador, located at 39 E. 9th St. which will contain 60 multi-family residential rental units plus approximately 6,560 square feet of space which will be leased for commercial uses;
7. The Dartmouth, located at 221 E. Michigan St. which will contain 42 multi-family residential rental units;
8. The McKay, located at 611 N. Pennsylvania St. which will contain 24 multi-family residential rental units;

previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Indianapolis Historical Partners, L.P., an Indiana limited partnership for the purposes of permanently financing the economic development facilities being acquired, renovated, installed and equipped or to be acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Indianapolis Historical Partners, L.P., an Indiana limited partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of IC 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note, Trust Indenture, Land Use Restriction Agreement, Collateral Assignment of Leases and Rentals and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (Indianapolis Historical Partners, L.P. Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note, Trust Indenture, Land Use Restriction Agreement, Collateral Assignment of Leases and Rentals and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (Indianapolis Historical Partners L.P. Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds (Indianapolis Historical Partners, L.P. Project) in the aggregate principal amount of Thirteen Million One Hundred Thousand Dollars (\$13,100,000) for the purpose of procuring funds to loan to Indianapolis Historical Partners, L.P., an Indiana limited partnership in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Indianapolis Historical Partners, L.P., an Indiana limited partnership on its First Mortgage Note in the principal amount of Thirteen Million One Hundred Thousand Dollars (\$13,100,000), which will be executed and delivered by Indianapolis Historical Partners, L.P., an Indiana limited partnership to evidence and secure said loan, and as otherwise provided in the above described Trust Indenture, Collateral Assignment of Leases and Rentals and Loan Agreement, Mortgage and Security

Agreement. The Bonds shall never constitute a general obligation of, an indebtedness charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Trust Indenture and the Bonds, provided, however, that the interest rate shall in no event exceed 30% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Land Use Restriction Agreement, the City of Indianapolis, Indiana Economic Development Revenue Bonds (Indianapolis Historical Partners, L.P. Project), and the Endorsement to the First Mortgage Note approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Trust Indenture, Loan Agreement, Mortgage and Security Agreement, Land Use Restriction Agreement, the Endorsement to Promissory Note and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the First Mortgage Note and Collateral Assignment of Leases and Rentals without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds (Indianapolis Historical Partners, L.P. Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 484, 1985. This is a proposal for a special ordinance amending certain approvals granted in and superceding previously adopted Special Ordinance No. 26, 1985 and authorizing the issuance of \$875,000 Economic Development Revenue Bonds, Series 1985 for Horace Mann, an Indiana Limited Partnership Project. Councillor Schneider explained that this project is the acquisition and renovation of the former IPS School No. 13 located at 714 Buchanan Street. On July 22, 1985, the Council approved Special Ordinance No. 26, 1985, but the bonds have not been issued yet and certain changes have been made to the financing documents, which need to be approved by the Council. The

bond financing contains the following documents: Loan Agreement, Mortgage and Security Agreement, Trust Indenture, First Mortgage Note, Series 1985 and the Land Use Restriction Agreement. The Economic Development Committee on August 21, 1985, recommended Proposal No. 484, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Stewart for adoption. Proposal No. 484, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Hawkins, Holmes, Journey, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Cottingham, Gilmer, Howard, McGrath*

Proposal No. 484, 1985, was retitled SPECIAL ORDINANCE NO. 45, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 45, 1985

A SPECIAL ORDINANCE amending certain approvals granted in and superceding previous adopted Special Ordinance No. 26, 1985 and authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partnership Project)" in the aggregate principal amount of Eight Hundred Seventy-five Thousand Dollars (\$875,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Horace Mann, an Indiana Limited Partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on July 17, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Horace Mann, an Indiana Limited Partnership (the "Company") consisting of the acquisition, renovation, installation and equipping of the vacant former IPS School No. 13 building which will contain approximately 21,400 net leasable square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 714 Buchanan Street, Indianapolis, Indiana, on approximately 0.89 acres of land which will be used as multi-family residential rental housing containing approximately 21 units (the "Project") which will be initially owned and operated by Horace Mann, an Indiana Limited Partnership complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County, Indiana on July 22, 1985 adopted City-County Special Ordinance No. 26, 1985 which approved the issuance of \$875,000 City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partner-

ship Project) and in connection therewith approved the final forms of certain documents; and

WHEREAS, the aforementioned Bonds have not yet been issued and it is necessary to approve certain changes to the forementioned final forms of documents; and

WHEREAS, the Indianapolis Economic Development Commission has approved on August 21, 1985 the revised final forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, First Mortgage Note, Series 1985, Land Use Restriction Agreement and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partnership Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement, Mortgage and Security Agreement consisting of the acquisition, renovation, installation and equipping of the vacant former IPS School No. 13 building which will contain approximately 21,400 net leasable square feet and the machinery and equipment to be installed therein plus certain site improvements located at 714 Buchanan Street, Indianapolis, Indiana, on approximately 0.89 acres of land which will be used as multi-family residential rental housing containing approximately 21 units previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Horace Mann, an Indiana Limited Partnership for the purposes of financing the economic development facilities being acquired, renovated, installed and equipped or to be acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Horace Mann, an Indiana Limited Partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of IC 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, First Mortgage Note, Series 1985, Land Use Restriction Agreement and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partnership Project) presented to this meeting approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, First Mortgage Note, Series 1985, Land Use Restriction Agreement and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partnership Project) presented to this meeting are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partnership Project) in the aggregate principal amount of Eight Hundred Seventy-five Thousand Dollars (\$875,000) for the purpose of procuring funds to loan to Horace Mann, an Indiana Limited Partnership in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agree-

ment, Mortgage and Security Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Horace Mann, an Indiana Limited Partnership on its First Mortgage Note, Series 1985 in the principal amount of Eight Hundred Seventy-five Thousand Dollars (\$875,000), which will be executed and delivered by Horace Mann, an Indiana Limited Partnership to evidence and secure said loan, and as otherwise provided in the above described Loan Agreement, Mortgage and Security Agreement and Trust Indenture. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Trust Indenture and the Bonds except that the interest rate thereon shall in no event exceed 30% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partnership Project), Land Use Restriction Agreement and the Endorsement to the First Mortgage Note, Series 1985 approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the Endorsement to First Mortgage Note, Series 1985, Land Use Restriction Agreement and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the First Mortgage Note, Series 1985 without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partnership Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 485 and 486, 1985. This is a proposal for an inducement resolution for Forum Group, Inc. and/or Oxford Development Corporation amending Special Resolution No. 6, 1985, to change the expiration date from August 31, 1985, to March 31, 1986. PROPOSAL NO. 486, 1985 - an inducement resolution for Forum Group, Inc. and/or Oxford Development Corporation

amending Special Resolution No. 7, 1985, to change the expiration date from August 31, 1985, to March 31, 1986. Councillor Schneider stated that both proposals extend the expiration date for Forum Group, Inc. and/or Oxford Development Corporation. The Economic Development Committee on August 21, 1985, recommended Proposal Nos. 485 and 486, 1985, Do Pass by votes of 6-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 485, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Giffin, McGrath

Proposal No. 485, 1985, was retitled SPECIAL RESOLUTION NO. 116, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 116, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 6, 1985 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 6, 1985 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Forum Group, Inc. and/or Oxford Development Corporation and/or their designee (the "Company") which Special Resolution set an expiration date of August 31, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the foresaid expiration date; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 6, 1985 is hereby amended by deleting the expiration date of August 31, 1985 contained herein and replacing said date with the date of March 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 6, 1985 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 486, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

2 NOT VOTING: *Clark, McGrath*

Proposal No. 486, 1985, was retitled SPECIAL RESOLUTION NO. 117, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 117, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 7, 1985 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 7, 1985 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Forum Group, Inc. and/or Oxford Development Corporation and/or their designee (the "Company") which Special Resolution set an expiration date of August 31, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the foresaid expiration date; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 7, 1985 is hereby amended by deleting the expiration date of August 31, 1985 contained herein and replacing said date with the date of March 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 7, 1985 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 487, 1985. This is a proposal for an inducement resolution amending Special Resolution No. 61, 1984, to increase the dollar amount of the inducement resolution from approximately \$10,000,000 to approximately \$14,000,000 for 407 Associates, Ltd., an Indiana limited partnership in which Robert Carr will be a general partner and/or Robert Carr and to change the expiration dated from January 31, 1986 to March 31, 1986. Councillor Schneider reminded the Council that this particular project is the acquisition and renovation of the Essex House and the related parking garage. Increased cost estimates require the Company to ask for an increase from \$10,000,000 to \$14,000,000 for the Project. The Economic Development Committee on August 21, 1985, recommended Proposal No. 487, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 487, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West*
NO NAYS

3 NOT VOTING: *Clark, McGrath, Stewart*

Proposal No. 487, 1985, was retitled SPECIAL RESOLUTION NO. 118, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 118, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 61, 1984 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 61, 1984 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by 407 Associates, Ltd., an Indiana limited partnership in which Robert Carr will be a general partner, and/or Robert Carr (the "Company") which Special Resolution set an expiration date of January 31, 1986 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, it has been determined that the Project will cost more than originally projected and it is now anticipated that it will cost approximately \$18,500,000; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the foresaid expiration date; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 61, 1984 as amended is hereby amended by deleting the expiration date of January 31, 1986 contained therein and replacing said date with the date of March 31, 1986 and by increasing the amount of said inducement resolution from approximately \$10,000,000 to approximately \$14,000,000.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 61, 1984 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 488, 1985. This is a proposal for an inducement resolution amending previously adopted Special Resolution No. 77, 1985 authorizing certain proceedings with respect to proposed economic development bond financing for

Stenz & Associates or a partnership or partnerships to be formed by the principals of Stenz & Associates in an approximate amount of \$16,500,000 to allow the use of economic development revenue bonds for permanent financing for multi-family residential rental units since the parcels of real estate now each meet the City's policy concerning such permanent financing. Councillor Schneider stated that the Project is the acquisition, construction and renovation of nine different sites for use as multi-family residential rental housing. Interim or construction financing for these projects was approved in Special Resolution No. 77, 1985, at the May 20th Council meeting. All the Projects were located within Economic Development Target Areas with the exception of one, 1050 Riveria Drive East, which has now been determined by the Metropolitan Development Commission as being located in an area undesirable for normal development. Proposal No. 488, 1985, will provide permanent financing for these Projects. The Economic Development Committee on August 21, 1985, recommended Proposal No. 488, 1985, Do Pass by a vote of 5-0-1. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 488, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*
NO NAYS

3 NOT VOTING: *Howard, McGrath, Strader*

Proposal No. 488, 1985, was retitled SPECIAL RESOLUTION NO. 119, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 119, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Stenz & Associates or a partnership or partnerships to be formed by the principals of Stenz & Associates (the "Applicant") has previously advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, renovate, construct, install and equip certain economic

development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, renovation, construction, installation and equipping of various multi-family residential rental housing projects as follows: a) Lockerbie Peaks Apartments (617 Vermont Place), b) Howland Manor Apartments (3753 North Meridian), c) Vernon Court Apartments (3420 North Meridian), d) Buckingham Balmoral Apartments (3103 North Meridian), e) 127 East Michigan Street, f) 3707 North Meridian Street, g) Browning Apartments (3720 North Meridian, 3726 North Meridian, 3429 North Capitol, 5347 North College and 3310 North Meridian), h) Sears Parcel No. 4 and 3 (South half of block bounded by New Jersey and East Street and Vermont), i) Broad Ripple Project 1050 Riveria Drive East and the machinery and equipment to be installed therein plus certain site improvements to be located in Indianapolis, Indiana (the "Project"); and

WHEREAS, this City-County Council on May 20, 1985 adopted City-County Special Resolution No. 77, 1985 concerning the interim (construction) financing for the Project; and

WHEREAS, each of the parcels comprising the Project are now eligible for permanent financing under the Issuer's policy concerning economic development revenue bond financing and the Applicant has requested that City-County Special Resolution No. 77, 1985 be amended to allow the use of economic development revenue bonds to provide permanent financing for the Project; and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 41 at the end of one year and 41 at the end of three years) to be achieved by the acquisition, renovation, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the interim and permanent financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, renovation, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$15,500,000 under the Act to be privately placed or a public offering with credit enhancement to provide permanent financing for the acquisition, renovation, construction, installation and equipping of the Project and the sale or leasing of the Project to

the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the caveat that this inducement resolution expires March 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of City-County Special Resolution No. 77, 1985, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during renovation, construction, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 489, 1985. This is a proposal for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Randall R. Koorsen and/or Koorsen Protection Services, Inc. in an approximate amount of \$1,000,000. Councillor Schneider described the project as the acquisition and renovation of an existing building located at 2719 Arlington Avenue and the construction of a 20,000 square foot addition. The building will be used by Koorsen Protection Services, Inc. in their business as a wholesale distributor and installer of fire, safety and security products. Estimated

costs for the \$1 million project are as follows: \$100,000 land; \$690,000 building; \$183,500 equipment and \$26,500 other contingencies. The project should be completed by June 1, 1986. The estimated number of additional employment positions at the end of one year total 13 jobs with \$233,000 in additional payroll to the community. The three-year job estimate is 23 positions with \$390,000 in additional payroll. The Company currently has 45 employees with an approximate yearly payroll of \$1,007,388. The Economic Development Committee on August 21, 1985, recommended Proposal No. 489, 1985, Do Pass by a vote of 5-0-1. Councillor Schneider moved, seconded by Councillor Hawkins for adoption. Proposal No. 489, 1985, was adopted on the following roll call vote; viz:

23 AYES: *Borst, Boyd, Bradley, Campbell, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Journey, Miller, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

6 NOT VOTING: *Clark, Cottingham, Durnil, Howard, McGrath, Nickell*

Proposal No. 489, 1985, was retitled SPECIAL RESOLUTION NO. 120, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 120, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Randall R. Koorsen and/or Koorsen Protection Services, Inc. (the "Applicant") has previously advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of an existing building containing approximately 10,625 square feet plus the addition of a new building containing approximately 20,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 2719 North Arlington Avenue on approximately 5.914 acres of land in Indianapolis, Marion County, Indiana which will be used by Koorsen Protection Services, Inc. in its business as a wholesale distributor and installer of fire, safety and security products (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 13 at the end of one year and 23 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$1,000,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires March 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless,

upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 490 and 491, 1985. Proposal No. 490, 1985, is a special ordinance designating the parcels of land commonly known as 1214-1218 North Meridian Street as an economic development target area. Proposal No. 491, 1985, is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Clyde W. von Grimmenstein in an approximate amount of \$2,500,000. Councillor Schneider stated that Mr. Clyde W. von Grimmenstein is the majority shareholder of Van Ausdall & Farrar, Inc., which will use the project in its business of selling and servicing word processing, telephone and dictating equipment. The Project is the renovation of an existing 13,500 square foot building at 1214-1218 North Meridian Street and the construction of a 30,000 square foot addition. Estimated costs for the \$2,500,000 project are as follows: \$2,000,000 land; \$375,000 equipment and \$125,000 other contingencies. The project should be completed within 6 to 9 months after it is started. The estimated number of additional employment positions at the end of one year total 20 with \$100,000 in additional payroll to the community. The three-year job estimate is 50 positions with \$500,000 in additional payroll. The Company currently has 100 employees with an approximate yearly payroll of \$2,000,000. The Economic Development Committee

on August 21, 1985, recommended Proposal Nos. 490 and 491, 1985, Do Pass by votes of 6-0. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 490, 1985, was adopted on the following roll call vote; viz:

22 AYES: *Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Journey, Miller, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

NO NAYS

7 NOT VOTING: *Borst, Clark, Durnil, Howard, McGrath, Nickell, Strader*

Proposal No. 490, 1985, was retitled SPECIAL ORDINANCE NO. 46, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 46, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

“(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation

commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on August 21, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcel commonly known as 1214-1218 North Meridian Street, Indianapolis, Indiana, as an Economic Development Target Area which parcel is more specifically described as:

Part of lot 11 in Arthur St. Clair's Addition to the City of Indianapolis, the plat of which is recorded in Land Record "H", page 595, in the office of the Recorder of Marion County, Indiana, more particularly described as follows:

Beginning at the intersection of the West right-of-way line of Meridian Street and the South line of lot 11 in Arthur St. Clair's Addition, the plat of which is recorded in Land Record "H", page 595 in the office of the Recorder of Marion County, Indiana said point being 5.00 feet North 87 degrees 18 minutes 18 seconds West of the Southeast corner of said lot 11; thence North 02 degrees 02 minutes 02 seconds East (assumed bearing) on the West right-of-way line of Meridian Street, 187.13 feet to the South right-of-way line of West 13th Street; thence North 86 degrees 24 minutes 56 seconds West on said right-of-way line 383.76 feet to the West line of said lot 11; thence South 00 degrees 29 minutes 57 seconds East on said West line 193.38 feet to the Southwest corner of said lot 11; thence South 87 degrees 18 minutes 18 seconds East on the South line thereof 375.10 feet to the beginning point.

now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the parcel commonly known as 1214-1218 North Meridian Street, Indianapolis, Indiana, which is more specifically described as:

Part of lot 11 in Arthur St. Clair's Addition to the City of Indianapolis, the plat of which is recorded in Land Record "H", page 595, in the office of the Recorder of Marion County, Indiana, more particularly described as follows:

Beginning at the intersection of the West right-of-way line of Meridian Street

and the South line of lot 11 in Arthur St. Clair's Addition, the plat of which is recorded in Land Record "H", page 595 in the office of the Recorder of Marion County, Indiana said point being 5.00 feet North 87 degrees 18 minutes 18 seconds West of the Southeast corner of said lot 11; thence North 02 degrees 02 minutes 02 seconds East (assumed bearing) on the West right-of-way line of Meridian Street, 187.13 feet to the South right-of-way line of West 13th Street; thence North 86 degrees 24 minutes 56 seconds West on said right-of-way line 383.76 feet to the West line of said lot 11; thence South 00 degrees 29 minutes 57 seconds East on said West line 193.38 feet to the Southwest corner of said lot 11; thence South 87 degrees 18 minutes 18 seconds East on the South line thereof 375.10 feet to the beginning point.

meets the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcel set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 491, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Clark, Durnil, McGrath, Nickell*

Proposal No. 491, 1985, was retitled SPECIAL RESOLUTION NO. 121, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 121, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Clyde W. von Grimmerstein (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either convert, rehabilitate, construct, install, equip and improve certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the conversion, rehabilitation, construction, installation, equipping and improvement of an existing building containing approximately 13,500 square feet plus a new addition thereto which will contain approximately 30,000 square feet located at 1214-1218 North Meridian Street, Indianapolis, Indiana, to be used by Van Ausdall & Farrar, Inc. in its business of selling and servicing word processing, telephone and dictating equipment; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 20 at the end of one year and 50 at the end of three years) to be achieved by the conversion, rehabilitation, construction, installation, equipping and improvement of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the conversion, rehabilitation, construction, installation, equipping and improvement of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$2,500,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to I.C. 36-7-11.9-4 and I.C. 36-7-12 for the conversion, rehabilitation, construction, installation, equipping and improvement of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the conversion, rehabilitation, construction, installation, equipping and improvement of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will

take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires March 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, conversion, rehabilitation, construction, installation, equipping and improvement of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 492 and 493, 1985. Proposal No. 492, 1985, is a special ordinance designating the parcel of land commonly known as 45 North Pennsylvania Street as an economic development target area. Proposal No. 493, 1985, is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Union Federal Savings & Loan Association of Indianapolis in an approximate amount of \$2,800,000. Councillor

Schneider described the project as the renovation of an existing office building containing approximately 87,000 square feet, located at 45 North Pennsylvania Street for continued use as commercial office space. Estimated costs for the \$2,800,000 project are as follows: \$2,400,000 building and \$400,000 other contingencies. Renovation should begin September, 1985, with completion scheduled for April, 1986. The estimated number of additional employment positions at the end of one year total 7 jobs with \$126,000 in additional payroll to the community. The three-year job estimate is 14 positions with \$297,000 in additional payroll. The Company currently employs 126 persons with an annual payroll of approximately \$1.7 million. The Economic Development Committee on August 21, 1985, recommended Proposal Nos. 492 and 493, 1985, Do Pass by votes of 6-0 and 5-0-1 respectively. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 492, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, Miller, Page, Rader, Rhodes, Schneider, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Howard, McGrath, Nickell, SerVaas*

Proposal No. 492, 1985, was retitled SPECIAL ORDINANCE NO. 47, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 47, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate

by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on August 21, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcel commonly known as 45 North Pennsylvania Street, Indianapolis, Indiana, as an Economic Development Target Area which parcel is more specifically described as:

Part of Lots Four (4), Five (5), and Six (6), in Square Fifty-seven (57) in the City of Indianapolis, described as follows, to-wit:

Beginning at the Southeast corner of Pennsylvania and Market Streets; thence East one hundred thirty-seven and sixty-seven hundredths (137.67) feet on Market Street; thence South one hundred two and eighty-five one hundredths (102.85) feet; thence West one hundred thirty-seven and sixty-seven hundredths (137.67) feet; thence North on Pennsylvania Street one hundred two and eighty-five one hundredths (102.85) feet to the place of beginning.

now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the parcel commonly known as 45 North Pennsylvania Street, Indianapolis, Indiana, which is more specifically described as:

Part of Lots Four (4), Five (5), and Six (6), in Square Fifty-seven (57) in the City of Indianapolis, described as follows, to-wit:

Beginning at the Southeast corner of Pennsylvania and Market Streets; thence East one hundred thirty-seven and sixty-seven hundredths (137.67) feet on Market Street; thence South one hundred two and eighty-five one hundredths (102.85) feet; thence West one hundred thirty-seven and sixty-seven hundredths (137.67) feet; thence North on Pennsylvania Street one hundred two and eighty-five one hundredths (102.85) feet to the place of beginning.

meets the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcel set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 493, 1985, was adopted on the following roll call vote; viz:

23 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Holmes, Journey, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

NO NAYS

6 NOT VOTING: *Dowden, Hawkins, Howard, McGrath, Page, Strader*

Proposal No. 493, 1985, was retitled SPECIAL RESOLUTION NO. 122, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 122, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Union Federal Savings & Loan Association of Indianapolis (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either convert, rehabilitate, construct, install, equip and improve certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide

financing to the Applicant for the same, said economic development facilities to be the conversion, rehabilitation, construction, installation, equipping and improvement of an existing office building containing approximately 87,000 square feet consisting of a lower level, eight floors above grade and a small penthouse of which the lower level and the first two floors above grade are occupied by Union Federal Savings & Loan Association of Indianapolis and related persons and the remaining portions of the facility are leased to various professional and other business tenants as office space located at 45 North Pennsylvania Street, Indianapolis, Indiana; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 7 at the end of one year and 14 at the end of three years) to be achieved by the conversion, rehabilitation, construction, installation, equipping and improvement of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the conversion, rehabilitation, construction, installation, equipping and improvement of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$2,800,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to I.C. 36-7-11.9-4 and I.C. 36-7-12 for the conversion, rehabilitation, construction, installation, equipping and improvement of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the conversion, rehabilitation, construction, installation, equipping and improvement of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execu-

tion and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires March 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, conversion, rehabilitation, construction, installation, equipping and improvement of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 494, 1985. This is a proposal for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Indianapolis Fruit Co., Inc. in an approximate amount of \$2,500,000. Councillor Schneider explained that Indianapolis Fruit Co., Inc. is currently located at the Indianapolis Produce Terminal and lease approximately 10,000 square feet of space. They are unable to expand their business due to this location and are proposing the construction of a 50,000 square foot wholesale fruit and vegetable warehouse and distribution center to be located on 13.5 acres of land at 30th Street and Shadeland Avenue. Estimated costs for the \$2.5

million project are as follows: \$350,000 land; \$1,000,000 building; \$985,000 equipment and \$165,000 other contingencies. Construction is schedule to begin in October, 1985 with completion approximately March, 1986. The estimated number of additional employment positions at the end of one year total 10 jobs with \$160,240 in additional payroll to the community. The three-year job estimate is 12 positions with \$206,870 in additional payroll. The Company currently employs 59 persons with an annual payroll of approximately \$1,112,540. The Economic Development Committee on August 21, 1985, recommended Proposal 494, 1985, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Stewart for adoption. Proposal No. 494, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Borst, Durnil, McGrath, Schneider*

Proposal No. 494, 1985, was retitled SPECIAL RESOLUTION NO. 123, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 123, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Indianapolis Fruit Co., Inc. (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a new building containing approximately 50,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 30th Street and Shadeland Avenue on approximately 13.5 acres of land in Indianapolis, Marion County, Indiana which will be used by the Applicant as a whole-sale fruit and vegetable warehouse and distribution center (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 10 at the end of one year and 12 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$2,500,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires March 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the

terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 495 and 496, 1985. Proposal No. 495, 1985, is a special ordinance designating the parcel of land commonly known as Square 69 in downtown Indianapolis adjacent to the Convention Center, Indianapolis, Indiana, as an economic development target area. Proposal No. 496, 1985, is for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Rudy Reyes, C. W. Hudson and/or Convention Associates, Inc. or an entity to be designated by them in an approximate amount of \$1,000,000. This project will be the construction of a new hotel containing approximately 74,000 square feet located adjacent to the Convention Center. This bond is only a portion of the total financing package for the Project. Estimated costs for the project are as follows: \$7 million land; \$40 million building; and \$10 million equipment. Construction is scheduled to begin in April, 1986 with completion in May, 1988. Total work force estimate is 600 employees for one and three years with \$5.4 million in additional payroll to the community the first year and \$6,074,000 the third year. The Economic Development Committee on August 21, 1985, recommended Proposal No. 495 and 496, 1985, Do Pass by votes of 5-0. Councillor Schneider moved, seconded by Councillor Howard for adoption. Proposal No. 495, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

2 NOT VOTING: Dowden, McGrath

Proposal No. 495, 1985, was retitled SPECIAL ORDINANCE NO. 48, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 48, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal

development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer.""; and

WHEREAS, at its meeting on August 21, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcel commonly known as Square 69 in downtown Indianapolis adjacent to the Convention Center, Indianapolis, Indiana, as an Economic Development Target Area which parcel is more specifically described as:

Square 69 in the Donation Lands of the City of Indianapolis.

now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the parcel commonly known as Square 69 in downtown Indianapolis adjacent to the Convention Center, Indianapolis, Indiana, which is more specifically described as:

Square 69 in the Donation Lands of the City of Indianapolis.

meets the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcel set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 496, 1985, was adopted on the following roll call vote; viz:

24 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Giffin, Gilmer, Hawkins, Holmes, Howard, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

NO NAYS

5 NOT VOTING: Dowden, Durnil, Journey, McGrath, Strader

Proposal No. 496, 1985, was retitled SPECIAL RESOLUTION NO. 124, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 124, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Rudy Reyes, C. W. Hudson and/or Convention Associates, Inc. or an entity to be designated by them (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct and install certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a new hotel containing approximately 74,000 square feet including the acquisition of approximately 1.75 acres of land located on Square 69 in downtown Indianapolis adjacent to the Convention Center; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 600 at the end of one year and 600 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$1,000,000 under the Act to be privately placed or a public offering with credit

enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to I.C. 36-7-11.9-4 and I.C. 36-7-12 for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires March 31, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 518-537, 1985. Introduced by Councillor Borst. The Clerk

read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on August 8, 1985". No action was taken on Proposal No. 518-537, 1985 by the Council; and the proposals were deemed adopted. Proposal Nos. 518-537, 1985, were retitled REZONING ORDINANCE NOS. 109-128, 1985, and read as follows:

**REZONING ORDINANCE NO. 109, 1985 85-Z-43 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3
9501 EAST 46TH STREET, LAWRENCE**

Gene B. Glick Company, Inc., by James W. Beatty, requests the rezoning of 22.18 acres, being in the SU-7 district, to the D-6 II classification, to provide for multi-family residential development.

**REZONING ORDINANCE NO. 110, 1985 85-Z-44 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
4402 MITTHOEFER ROAD, INDIANAPOLIS**

James T. Bisesi, by James W. Beatty, requests the rezoning of 29.57 acres, being in the D-6 II district, to the SU-7 classification, to provide for the development of regional headquarters of Little League Baseball, Incorporated, with facilities that include baseball and softball diamonds, swimming pool, cottages for summer camps and administrative buildings.

**REZONING ORDINANCE NO. 111, 1985 85-Z-83 AMENDED WASHINGTON
TOWNSHIP
COUNCILMANIC DISTRICT NO. 4**

3401 EAST 96TH STREET, INDIANAPOLIS

Thomas I. Wood, by Lawrence E. Lawhead, requests the rezoning of 1.94 acres, being in the C-4 district, to the C-S classification, to provide for automobile sales and display.

**REZONING ORDINANCE NO. 112, 1985 85-Z-98 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25**

2524 EAST COUNTY LINE ROAD, INDIANAPOLIS

McDonald's Corporation and Edward P. and Geraldine Wojtowicz, by Stephen D. Mears, request the rezoning of 2.29 acres, being in the A-2 and C-3 districts, to the C-4 classification, to conform zoning to its use as a restaurant and drive-through.

**REZONING ORDINANCE NO. 113, 1985 85-Z-99 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3**

7535 KNUE ROAD, INDIANAPOLIS

Citizens Gas and Coke Utility, by William F. LeMond, requests the rezoning of 0.70 acre, being in the I-2-S district, to the SU-42 classification, to provide for the reconstruction of a transmission regulating station.

**REZONING ORDINANCE NO. 114, 1985 85-Z-100 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13**

9431 EAST WASHINGTON STREET, INDIANAPOLIS

James F. Singleton, by Bill Wendling, requests the rezoning of approximately 1.15 acres, being in the D-2 district, to the C-4 classification, to provide for the construction of an auto store.

**REZONING ORDINANCE NO. 115, 1985 85-Z-101 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 6**

5810 NORTH ILLINOIS STREET, INDIANAPOLIS

Indianapolis Water Company, by Wilson S. Stober, requests the rezoning of 0.41 acre, being in the D-9 district, to the SU-39 classification, to provide for a water pumping station that is residential in appearance.

**REZONING ORDINANCE NO. 116, 1985 85-Z-104 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 21**

4301 AIRPORT EXPRESSWAY, INDIANAPOLIS

Great Dane Trailers, Inc. and Frank and John Codalata, by Wilson S. Stober, request the rezoning of 1.5 acres, being in the I-2-S district, to the C-7 classification, to provide for the expansion of truck trailer sales and service.

**REZONING ORDINANCE NO. 117, 1985 85-Z-107 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 19**

6841 WEST WASHINGTON STREET, INDIANAPOLIS

Public Storage, Inc., by Fred Sutton and John Zimmerlee requests the rezoning of 3.61 acres, being in the C-5 and C-7 districts, to the C-S classification, to provide for the construction of self-service storage units and a resident manager's apartment.

**REZONING ORDINANCE NO. 118, 1985 85-Z-110A CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 10**

2050 EAST 30TH STREET, INDIANAPOLIS

Metropolitan Development Commission requests the rezoning of 4.1 acres, being in the C-1 district, to the D-7 classification, to conform zoning to its use by the Indianapolis Housing Authority.

**REZONING ORDINANCE NO. 119, 1985 85-Z-110B CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 10**

3198 NORTH KEYSTONE AVENUE, INDIANAPOLIS

Metropolitan Development Commission requests the rezoning of 0.17 acre, being in the D-5 district, to the D-7 classification, to conform zoning to its use by the Indianapolis Housing Authority.

**REZONING ORDINANCE NO. 120, 1985 85-Z-111A WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 16 AND 17**

3125 CONCORD COURT AND 2851 WEST WALNUT STREET, INDIANAPOLIS

Metropolitan Development Commission requests the rezoning of approximately 15.9 acres, being in the I-2-U and I-3-U districts, to the D-7 classification, to conform zoning to its use by the Indianapolis Housing Authority.

**REZONING ORDINANCE NO. 121, 1985 85-Z-111B WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 17**

540 NORTH HOLMES AVENUE, INDIANAPOLIS

Metropolitan Development Commission requests the rezoning of 1.2 acres, being in the I-3-U district, to the C-3 classification, to correct a mapping error found relating to rezoning petition 66-Z-172.

**REZONING ORDINANCE NO. 122, 1985 85-Z-112 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 17**

3450 COSSELL ROAD, INDIANAPOLIS

Metropolitan Development Commission requests the rezoning of 0.17 acre, being in the D-5 district, to the D-7 classification, to conform zoning to its use by the Indianapolis Housing Authority.

**REZONING ORDINANCE NO. 123, 1985 85-Z-113 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 23**

1353 SOUTH RILEY PLACE, INDIANAPOLIS

Metropolitan Development Commission requests the rezoning of 0.45 acre, being

in the D-3 district, to the D-6 II classification, to conform zoning to its use by the Indianapolis Housing Authority.

**REZONING ORDINANCE NO. 124, 1985 85-Z-114 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 23
2353 SOUTH RILEY AVENUE, INDIANAPOLIS**

Metropolitan Development Commission requests the rezoning of 0.15 acre, being in the SU-2 district, to the D-6 II classification, to conform zoning to its use by the Indianapolis Housing Authority.

**REZONING ORDINANCE NO. 125, 1985 85-Z-115 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 11
5244 EAST 32ND STREET PLACE, INDIANAPOLIS**

Metropolitan Development Commission requests the rezoning of 0.58 acre, being in the D-4 district, to the D-7 classification, to conform zoning to its use by the Indianapolis Housing Authority.

**REZONING ORDINANCE NO. 126, 1985 85-Z-116 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 22**

501 NORTH EAST STREET, INDIANAPOLIS

Metropolitan Development Commission requests the rezoning of 2.07 acres, being in the I-3-U district, to the CBD-2 classification, to conform zoning to its use by the Indianapolis Housing Authority.

**REZONING ORDINANCE NO. 127, 1985 85-Z-128A AMENDED WASHINGTON
TOWNSHIP
COUNCILMANIC DISTRICT NO. 4**

4001 EAST 96TH STREET, INDIANAPOLIS

Throgmartin Realty, by Thomas Michael Quinn, Jr., requests the rezoning of approximately 34.84 acres, being in the A-2 district, to the C-S classification, to provide for warehouse, warehouse distribution, warehouses, office-warehouses and offices.

**REZONING ORDINANCE NO. 128, 1985 85-Z-128B WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 4**

4301 EAST 96TH STREET, INDIANAPOLIS

Throgmartin Realty, by Thomas Michael Quinn, Jr., requests the rezoning of approximately 68 acres, being in the A-2 district, to the D-7 classification, to provide for the construction of apartments.

PROPOSAL NOS. 538-550, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on August 23, 1985". No action was taken on Proposal Nos. 538-550, 1985 by the Council; and the proposals were deemed adopted. Proposal Nos. 538-550, 1985, were retitled REZONING ORDINANCE NOS. 129-141, 1985, and read as follows:

**REZONING ORDINANCE NO. 129, 1985 85-Z-84 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
9701 FALL CREEK ROAD, INDIANAPOLIS**

The Shorewood Corporation, by William F. LeMond, requests the rezoning of

approximately 14 acres, being in the A-2 district, to the C-1 classification, to provide for the construction of an office park.

**REZONING ORDINANCE NO. 130, 1985 85-Z-86 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 8**

3355 NORTH HIGH SCHOOL ROAD, INDIANAPOLIS

Sanford Han, by Frank Otte, requests the rezoning of 1.43 acres, being in the A-2 district, to the C-3 classification, to conform zoning to its use as a liquor store.

**REZONING ORDINANCE NO. 131, 1985 85-Z-93 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1**

3910 WEST 86TH STREET, INDIANAPOLIS

Edward Rose of Indiana, by John W. Van Buskirk, requests the rezoning of 1.37 acre, being in the D-2 district, to the C-1 classification, to provide for office development.

**REZONING ORDINANCE NO. 132, 1985 85-Z-94 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 15**

6501 JULIAN AVENUE, INDIANAPOLIS

Kenra Laboratories, Inc., by Philip A. Nicely, requests the rezoning of 2.1 acres, being in the D-5 and C-4 districts, to the I-2-S classification, to conform zoning to its use and to permit construction of an additional storage facility.

**REZONING ORDINANCE NO. 133, 1985 85-Z-97 AMENDED WARREN
TOWNSHIP**

COUNCILMANIC DISTRICT NO. 13

150 SOUTH GERMAN CHURCH ROAD, INDIANAPOLIS

American Fletcher National Bank, by Wilson S. Stober, requests the rezoning of 24.3 acres, being in the A-2 district, to the D-3 classification, to provide for residential use by platting.

**REZONING ORDINANCE NO. 134, 1985 85-Z-102 (85-DP-5) LAWRENCE
TOWNSHIP**

COUNCILMANIC DISTRICT NO. 5

8350 EAST 86TH STREET, INDIANAPOLIS

SCM Real Estate Development Corporation, by Stephen D. Mears, requests rezoning of 160 acres, being in the A-2 district, to the D-P classification to provide for a Planned Unit Development consisting of detached single-family and multi-family residential uses.

**REZONING ORDINANCE NO. 135, 1985 85-Z-121 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25**

3302 SOUTH HARDING STREET (REAR), INDIANAPOLIS

Betty L. Lane, by William F. LeMond, requests the rezoning of 21.10 acres, being in the I-4-S district, to the I-5-S classification, to provide for the outside storage of wrecked autos.

**REZONING ORDINANCE NO. 136, 1985 85-Z-123 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 22**

2302 EAST MICHIGAN STREET, INDIANAPOLIS

Board of School Commissioners of the City of Indianapolis, by Fredrick L. Rice, requests the rezoning of 3.98 acres, being in the C-2 and D-5 districts, to the SU-2 classification, to provide for the construction of an elementary school.

**REZONING ORDINANCE NO. 137, 1985 85-Z-124 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 17**

2716 WEST 30TH STREET, INDIANAPOLIS

Ronald J. Schmoll, by James E. Sandifer, requests the rezoning of 1.3 acres, being in the SU-2 district, to the D-4 classification, to provide for residential use.

**REZONING ORDINANCE NO. 138, 1985 85-Z-125 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3**

6995 KINGMAN DRIVE, INDIANAPOLIS

Arthur E. and Pauline M. Dove, by Michael C. Cook, request the rezoning of 11.95 acres, being in the A-2 district, to the D-2 classification, to provide for residential use by platting.

**REZONING ORDINANCE NO. 139, 1985 85-Z-126 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21**

350 SOUTH WEST STREET, INDIANAPOLIS

Indianapolis Power & Light Company, by Robert C. Crews, II, requests the rezoning of approximately 10 acres, being in the I-4-U district, to the SU-18 classification, to provide for development of an electrical substation.

**REZONING ORDINANCE NO. 140, 1985 85-Z-148 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 8**

6450 GATEWAY DRIVE, INDIANAPOLIS

Hoosier Motor Club and the Wholesale Club, Inc., by Walter E. Wolf, Jr., request the rezoning of 8.6 acres, being in the C-5 and C-S districts, to the C-S classification, to provide for wholesale sales and all uses permitted in the C-5 district.

**REZONING ORDINANCE NO. 141, 1985 85-Z-150 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3**

4450 and 4455 MCCOY STREET, LAWRENCE, INDIANA

The Metropolitan Development Commission requests the rezoning of approximately 2.5 acres, being in the C-5 and D-5 districts, to the SU-9 classification, to conform zoning to the existing use of a fire station and municipal building for the City of Lawrence.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 464, 1985. This proposal appropriates \$350,000 for the Central Equipment Management Division for mileage penalties on IPD vehicles and increased insurance and contractual repair of vehicles. Councillor Coughenour explained that Proposal No. 464, 1985, has not been heard in committee yet, and she requested that Proposal No. 464, 1985, be postponed in Council until the Council Meeting of September 9, 1985. Consent was given.

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 376, 1985. This proposal assigns the responsibility for public housing to the Division of Housing, Department of Metropolitan Development. Councillor Borst explained that there were still unanswered questions, and he requested that Proposal No. 376, 1985, be postponed in Council until the Council Meeting of September 9, 1985. Consent was given.

SPECIAL SERVICE DISTRICT COUNCILS

POLICE SPECIAL SERVICE DISTRICT COUNCIL

The President called the Police Special Service District Council to order at 8:02 p.m. Twenty-nine members being present, he announced a quorum.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 344, 1985. This is a proposal for a police special service district general ordinance amending the Code concerning the merit system for members of the Indianapolis Police Department. Councillor Dowden stated that the Department of Public Safety has requested that this proposal be postponed. Councillor Dowden moved, that Proposal No. 344, 1985, be postponed in Council until the Council Meeting of September 30, 1985. Consent was given.

There being no further business the Police Special Service District Council adjourned at 8:02 p.m.

President SerVaas reconvened the meeting of the City-County Council at 8:03 p.m.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business and upon motion duly made and seconded, the meeting adjourned at 8:04 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council

of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Special Service District Councils on the 26th day of August, 1985.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.


President

ATTEST:


Clerk of the City-County Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND SPECIAL SERVICE DISTRICT COUNCILS
OF INDIANAPOLIS, MARION COUNTY, INDIANA**

REGULAR MEETINGS - MONDAY, SEPTEMBER 9, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m., on Monday, September 9, 1985, with Councillor SerVaas presiding.

The meeting was opened with a prayer and the Pledge of Allegiance to the Flag by Councillor Stephen R. West.

ROLL CALL

Councillor SerVaas instructed the Clerk to take the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

Twenty-nine members being present, he announced a quorum was present.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Stewart introduced the parents and friends and team members of the Warren Township Little League All Stars.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE,
FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT
COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,
INDIANA:

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, September 9, 1985, at 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

s/Beurt SerVaas, President
City-County Council

August 27, 1985
TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on August 29, 1985, and September 6, 1985, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 509 and 510, 1985, and on August 29, 1985, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 498, and 507, 1985, to be held on Monday, September 9, 1985, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

September 9, 1985
TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

SPECIAL ORDINANCE NO. 39, 1985, a special ordinance authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (129 Market Associates, Ltd. Project)" in the aggregate principal amount of Four Million Two Hundred Fifty Thousand Dollars (\$4,250,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 40, 1985, a special ordinance authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985

(Lockerbie Partners Ltd. Project)" in the aggregate principal amount of Seven Hundred Sixty-five Thousand Dollars (\$765,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 41, 1985, a special ordinance authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Massachusetts Avenue Historical Partners Project)" in the aggregate principal amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 42, 1985, a special ordinance authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Young & Young Liberty Building Partnership Project)" in the aggregate principal amount of Eight Hundred Fifty Thousand Dollars (\$850,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 43, 1985, a special ordinance authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project)" in the principal amount of One Million Three Hundred Thirty-five Thousand Dollars (\$1,335,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 44, 1985, a special ordinance authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (Indianapolis Historical Partners, L.P. Project)" in the aggregate principal amount of Thirteen Million One Hundred Thousand Dollars (\$13,100,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 45, 1985, a special ordinance amending certain approvals granted in and superceding previously adopted Special Ordinance No. 26, 1985 and authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partnership Project)" in the aggregate principal amount of Eight Hundred Seventy-five Thousand Dollars (\$875,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 46, 1985, a special ordinance designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

SPECIAL ORDINANCE NO. 47, 1985, a special ordinance designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

SPECIAL ORDINANCE NO. 48, 1985, a special ordinance designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

SPECIAL RESOLUTION NO. 115, 1985, a special resolution honoring the Home Owner's Maintenance Enterprise Program.

SPECIAL RESOLUTION NO. 116, 1985, a special resolution amending City-County Special Resolution No. 6, 1985 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 117, 1985, a special resolution amending City-County Special Resolution No. 7, 1985 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 118, 1985, a special resolution amending City-County Special Resolution No. 61, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 119, 1985, a special resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 120, 1985, a special resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 121, 1985, a special resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 122, 1985, a special resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 123, 1985, a special resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 124, 1985, a special resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

Respectfully submitted,

s/William H. Hudnut, III

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS --

PROPOSAL NO. 470, 1985. This proposal supports Mayor Hundut's resistance to efforts by the U.S. Justice Department to change the Consent Decrees that are the basis of Indianapolis' Affirmative Action Program in the Police and Fire Departments. Councillor McGrath reported that the Rules and Policy Committee heard Proposal No. 470, 1985, on September 3, 1985, and recommended it Do

Pass As Amended by a vote of 6-0. Councillor McGrath noted that the amendments were technical in nature and did not change the intent of the resolution. Councillor Boyd, co-sponsor, stated that several people testified at the committee meeting, and it did receive unanimous support. Councillor McGrath moved, seconded by Councillor Boyd for adoption. Proposal No. 470, 1985, as amended, was adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 20, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 20, 1985

A COUNCIL RESOLUTION in support of Mayor Hudnut's resistance to efforts by the U.S. Justice Department to change the Consent Decrees that are the basis of Indianapolis' Affirmative Action Program in the Police and Fire Departments.

WHEREAS, the Justice Department has filed a motion in Federal Court seeking to eliminate the Affirmative Action hiring goals in the Indianapolis Police and Fire Departments; and

WHEREAS, the Justice Department is thus completely reversing the position it took in 1977, when it filed suit in Federal Court to require the City to institute such hiring goals in the Police and Fire Departments; and

WHEREAS, the Justice Department is now attempting to seek sanctions against the City for the City's compliance with requirements made by the Justice Department as part of the 1977 consent decree between the Justice Department and the City; and

WHEREAS, Mayor William H. Hudnut III has publicly stated that maintaining the hiring goals within the City's Equal Opportunity Program is legally correct; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council of Indianapolis - Marion County, Indiana, stands in support of Mayor William H. Hudnut III's position with the U.S. Justice Department and his resistance to efforts by the U.S. Justice Department to change the Consent Decrees that are the basis of Indianapolis' Equal Opportunity Programs.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 586, 1985. This proposal urges the Congress to provide relief from the application of the Fair Labor Standards Act to state and local government employment practices. President SerVaas stated that Proposal No. 586, was initiated by the Administration and expresses the dilemma that this particular

ruling has placed on the City of Indianapolis. Councillor Curry pointed out that in the last "Whereas" clause the words "per annum" should be added after (\$1,000,000). Consent was given to the amendment. Councillor Miller moved, seconded by Councillor Clark, for adoption. Proposal No. 586, 1985, as amended, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 126, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 126, 1985

A SPECIAL RESOLUTION urging the Congress to provide relief from the application of the Fair Labor Standards Act to state and local government employment practices.

WHEREAS, on February 19, 1985, the United States Supreme Court announced its decision in *Garcia v. San Antonio Mass Transit Authority*, holding that the Tenth Amendment to the United States Constitution did not bar the application of the provisions of the Fair Labor Standards Act (FLSA) to state and local government employment practices; and

WHEREAS, the United States Department of Labor has announced that it will begin to investigate compliance with the FLSA by state and local governments on October 15, 1985, and will seek sanctions against state and local governments which were not in compliance as of April 15, 1985; and

WHEREAS, City and County officials have been attempting to develop compliance policies which will minimize the economic impact of compliance on Indianapolis and Marion County; and

WHEREAS, compliance with the FLSA will have an adverse affect on the flexibility of state and local government operations, and will unnecessarily burden state and local officials with additional record keeping and paper work requirements; and

WHEREAS, compliance with the FLSA will not increase the effectiveness of state and local governments, nor will it increase the level of services provided by state and local governments; and

WHEREAS, state and local officials are in the best position to determine how best to provide state and local services and compliance with the FLSA denies to state and local government officials the autonomy to make those decisions; and

WHEREAS, the estimated economic impact of FLSA compliance for Indianapolis and Marion County will approach upwards of one million dollars (\$1,000,000) per annum; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council urges the United States Congress to reverse the effect of the February 19, 1985 decision in *Garcia v. San Antonio Mass Transit Authority*, and exempt state and local governments from the provisions of the Fair Labor Standards Act.

SECTION 2. In the alternative, the City-County Council urges the United States Congress to provide relief from the provisions of the FLSA, including, but not limited to, the following measures:

- a. allow state and local governments to utilize compensatory time in lieu of mandatory overtime provisions required by FLSA;
- b. allow state and local governments to maximize the use of volunteers in the provision of local government services;
- c. eliminate the retroactive application of the FLSA to state and local governments.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 588, 1985. This proposal honors the 1985 Warren National Little League All Stars. Councillor Stewart read the resolution and introduced the team members, coach and manager. Co-sponsors, Councillors Clark, Durnil, Nickell and Gilmer helped present signed resolutions to the team. Councillor Stewart moved, seconded by Councillor Clark for adoption. Proposal No. 588, 1985, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 125, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 125, 1985

A SPECIAL RESOLUTION honoring the 1985 Warren National Little League All Stars.

WHEREAS, the 1985 Warren National Little League All Stars were selected from the four Warren National Major League Division Teams of the Warren Little League; and

WHEREAS, the All Stars have won the Division Seven (7) Championship at Southport, the Section Championship at Danville and the State Championship at South Bend; and

WHEREAS, the 1985 Warren National Little League All Stars advanced to the Central Region Little League Baseball Tournament in Milwaukee where they finished eleventh in the nation; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis - Marion County City-County Council honors Warren National Little League team members Damon Archer, Mike Bonavita, Kevin Eckert, John Dill, Chris Hovey, Mike Foley, Bill Coryell, Jason Evans, Matt Clapesattle, Joe Hufford, Kevin Heinrich, Jamie Asher, Marcus Brewer, Justin Carlstrom, Coach Dan Collins and Manager Bob Asher.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 554, 1985. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the issuance of \$7,200,000 Economic Development Revenue Bonds for Harness Factory Lofts Associates, L.P."; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 566, 1985. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Roberta Allen to the Equal Opportunity Advisory Board"; and the President referred it to the Administration Committee.

PROPOSAL NO. 567, 1985. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION extending certain services to the Indianapolis Housing Authority"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 568, 1985. Introduced by Councillors Miller, McGrath, Borst and Coughenour. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Harold E. Smith to the Board of Zoning Appeals, Division II"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 569, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE clarifying that judges are included in the indemnification ordinance"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 570, 1985. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing

Howard Howe to the Transportation Board"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 571, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$411,000 for the Department of Transportation to purchase various supplies, street lighting expenses, equipment leases and updating of the snow removal plan"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 572, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$788,973 for the Department of Transportation for street lighting expenses, a street light cost reduction study and several capital projects"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 573, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls on portions of Morris Street and designating a portion of Old West Street as northbound"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 574, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Shadeland Avenue and 77th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 575, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing speed limit controls on a portion of Franklin Road"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 576, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing weight limit controls on portions of Chase Street and Coffey Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 577, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing

intersection controls at Dearborn and North Streets”; and the President referred it to the Transportation Committee.

PROPOSAL NO. 578, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: “A Proposal for a GENERAL ORDINANCE changing intersection, speed limit and parking controls on portions of Polco Street”; and the President referred it to the Transportation Committee.

PROPOSAL NO. 579, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: “A Proposal for a GENERAL ORDINANCE changing intersection controls at various locations”; and the President referred it to the Transportation Committee.

PROPOSAL NO. 580, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: “A Proposal for a GENERAL ORDINANCE changing speed limit controls on portions of Emerson and Arlington Avenues”; and the President referred it to the Transportation Committee.

PROPOSAL NO. 581, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: “A Proposal for a GENERAL ORDINANCE changing speed limit controls on portions of Stadium Drive and Riverside Drive”; and the President referred it to the Transportation Committee.

PROPOSAL NO. 582, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: “A Proposal for a GENERAL ORDINANCE changing intersection controls in Wright Boulders and Hunters Run Subdivisions”; and the President referred it to the Transportation Committee.

PROPOSAL NO. 583, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: “A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of Sherman Drive”; and the President referred it to the Transportation Committee.

PROPOSAL NO. 584, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: “A Proposal for a GENERAL ORDINANCE establishing a loading zone on a portion of Massachusetts Avenue”; and the President referred it to the Transportation Committee.

PROPOSAL NO. 585, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing a loading zone on a portion of Massachusetts Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 587, 1985. Introduced by Councillors Strader and Durnil. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION requesting that a program be prepared whereby the youth have the opportunity to display their automobiles in a safe and organized manner"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 597, 1985. Introduced by Councillor Howard. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Salem Street and West 35th and 36th Street"; and the President referred it to the Transportation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 551, 1985. This is a proposal for a final bond ordinance authorizing the issuance of a \$700,000 Economic Development Revenue Bond for Clarit Realty Ltd. Councillor Schneider reviewed the project as the acquisition, construction, installation and equipping of an approximately 32,000 square foot warehouse and office building for use as an automotive aftermarket wholesale parts warehouse and distribution point. The Project will be operated by Middle Atlantic Warehouse Distributor, Inc. The bond financing contains the following documents: Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture, Conditional Assignment of Leases and Rentals, Guaranty Agreement, Lease and Lessee's Consent and Agreement to Lease Assignment. The bondholder will be Manufacturers and Traders Trust Company of Buffalo, New York. The interest rate will be 70% of the bondholders prime rate. The interest is payable quarterly commencing December 1, 1985. Principal payments of \$6,250 commence December 1, 1985 and are payable quarterly. The Economic Development Committee on September 4, 1985, recommended Proposal No. 551, 1985, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 551, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

NO NAYS

1 NOT VOTNG: Strader

Proposal No. 551, 1985, was retitled SPECIAL ORDINANCE NO. 49, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 49, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series 1985 (Clarit Realty, Ltd. Project)" in the principal amount of Seven Hundred Thousand Dollars (\$700,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed permanent financing of economic development facilities for Clarit Realty, Ltd. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on September 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Clarit Realty, Ltd. (the "Company") consisting of the acquisition, construction, installation and equipping of an approximately 32,000 square foot warehouse and office building for use as an automotive aftermarket wholesale parts warehouse and distribution point and the machinery and equipment to be installed therein plus certain site improvements to be located at 8980 East 33rd Street, Indianapolis, Indiana, on an approximate 4.5 acre tract of land (the "Project") which will be initially owned by Clarit Realty, Ltd. and operated by Middle Atlantic Warehouse Distributors, Inc. pursuant to a lease complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture, Conditional Assignment of Leases and Rentals, Guaranty Agreement, Lease, Lessee's Consent and Agreement to Lease Assignment and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (Clarit Realty, Ltd. Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement, Mortgage and Security Agreement

consisting of the acquisition, construction, installation and equipping of an approximately 32,000 square foot warehouse and office building for use as an automotive aftermarket wholesale parts warehouse and distribution point and the machinery and equipment to be installed therein plus certain site improvements to be located at 8980 East 33rd Street, Indianapolis, Indiana, on an approximately 4.5 acre tract of land which will be leased to Middle Atlantic Warehouse Distributors, Inc. for the aforesaid uses previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of a revenue bond, the loan of the net proceeds thereof to Clarit Realty, Ltd. for the purposes of financing the economic development facilities being acquired, constructed, installed and equipped or to be acquired, constructed, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Clarit Realty, Ltd. will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of IC 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture, Conditional Assignment of Leases and Rentals, Guaranty Agreement, Lease, Lessee's Consent and Agreement to Lease Assignment and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (Clarit Realty, Ltd. Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture, Conditional Assignment of Leases and Rentals, Guaranty Agreement, Lease, Lessee's Consent and Agreement to Lease Assignment and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (Clarit Realty, Ltd. Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bond, Series 1985 (Clarit Realty, Ltd. Project) in the principal amount of Seven Hundred Thousand Dollars (\$700,000) for the purpose of procuring funds to loan to Clarit Realty, Ltd. in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Clarit Realty, Ltd. on its First Mortgage Note Series 1985 in the principal amount of Seven Hundred Thousand Dollars (\$700,000), which will be executed and delivered by Clarit Realty, Ltd. to evidence and secure said loan, and as otherwise provided in the above described Trust Indenture, Loan Agreement, Mortgage, and Security Agreement, Guaranty Agreement and Conditional Assignment of Leases and Rentals. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bond to the purchaser thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Trust Indenture and the Bond, provided, however, that the interest rate shall in no event exceed 30% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (Clarit Realty, Ltd. Project), and the Endorsement to the First Mortgage Note Series 1985

approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Trust Indenture, Loan Agreement, Mortgage and Security Agreement, the Endorsement to First Mortgage Note Series 1985 and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in the First Mortgage Note Series 1985, Guaranty Agreement, Lease, Lessee's Consent and Agreement to Lease Assignment and Conditional Assignment of Leases and Rentals without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bond, Series 1985 (Clarit Realty, Ltd. Project) and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 552, 1985. This is a proposal for a final bond ordinance authorizing the issuance of \$7,300,000 Economic Development Revenue Bonds for SMC Pneumatics, Inc. The project is the acquisition, renovation and equipping of an existing building containing approximately 120,000 square feet, located at 3011 Franklin Road on approximately 13.125 acres of land. (Previously the General Foods Plant, which has been vacant since May 1, 1985.) The project will be used by the Company to distribute and manufacture pneumatically operated "air cylinders" and directional control valves. The bond financing contains the following documents: Loan Agreement, Indenture of Trust and the Mortgage and Security Agreement. The interest rate will be floating rate set by Bankers Trust Company, New York. The bonds have a maturity date of September 1, 2009. The Economic Development Committee on September 4, 1985, recommended Proposal No. 552, 1985, Do Pass by a vote of 3-2. Councillor Schneider moved, seconded by Councillor Gilmer for adoption.

Councillor Clark explained that he was one of the votes against this particular issue. When the first committee meeting was held on this project the Company

stated that there was no competition within Marion County. Councillor Clark instructed the staff to conduct a survey that revealed there were 17 companies that would be in competition with SMC Pneumatics, Inc. SMC Pneumatics, Inc. is an Indiana corporation, but their stockholders are Japanese. Councillor Clark stated that he could not support this project when it creates a hardship on locally-owned businesses when they have to compete with foreign business.

After considerable discussion Proposal No. 552, 1985, was adopted on the following roll call vote; viz:

19 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Gilmer, Hawkins, Howard, Journey, Miller, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West*

10 NAYS: *Clark, Curry, Dowden, Durnil, Giffin, Holmes, McGrath, Nickell, Page, Stewart*

Proposal No. 552, 1985, was retitled SPECIAL ORDINANCE NO. 50, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 50, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (SMC Pneumatics, Inc. Project) Series 1985" in the aggregate principal amount of Seven Million Three Hundred Thousand Dollars (\$7,300,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed permanent financing of economic development facilities for SMC Pneumatics, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on September 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by SMC Pneumatics, Inc. (the "Company") consisting of the acquisition, renovation, installation and equipping of an existing facility containing approximately 120,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 3001 North Franklin Road, Indianapolis, Marion County, Indiana on approximately 13.125 acres of land which will be used by the Company to distribute and manufacture pneumatically operated "air cylinders" and directional control valves (the "Project") which will be initially owned and operated by SMC Pneumatics, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Indenture of Trust, Mortgage and Security Agreement and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (SMC Pneumatics, Inc. Project) Series 1985 by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement consisting of the acquisition, renovation, installation and equipping of an existing facility containing approximately 120,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 3011 North Franklin Road, Indianapolis, Marion County, Indiana, on approximately 13.125 acres of land which will be used by the Company to distribute and manufacture pneumatically operated "air cylinders" and directional control valves previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of a revenue bond, the loan of the net proceeds thereof to SMC Pneumatics, Inc. for the purposes of financing the economic development facilities being acquired, renovated, installed and equipped or to be acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by SMC Pneumatics, Inc. will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of IC 36-7-12.

SECTION 2. The forms of the Loan Agreement, Indenture of Trust, Mortgage and Security Agreement and the forms of the City of Indianapolis, Indiana Economic Development Revenue Bonds (SMC Pneumatics, Inc. Project) Series 1985 approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Indenture of Trust, Mortgage and Security Agreement and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (SMC Pneumatics, Inc. Project) Series 1985 are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds (SMC Pneumatics, Inc. Project) Series 1985 in the aggregate principal amount of Seven Million Three Hundred Thousand Dollars (\$7,300,000) for the purpose of procuring funds to loan to SMC Pneumatics, Inc. in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by SMC Pneumatics, Inc. and as otherwise provided in the above described Loan Agreement, Indenture of Trust, Mortgage and Security Agreement and a Letter of Credit. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Indenture of Trust and the Bonds, provided, however, that the interest rate shall in no event exceed 30% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Indenture of Trust, the City of Indianapolis, Indiana Economic Development Revenue Bonds (SMC Pneumatics, Inc. Project) Series 1985 approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Indenture of Trust. The Mayor and City Clerk may by their execution of the Indenture of Trust, Loan Agreement and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the Mortgage and Security Agreement without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Indenture of Trust shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds (SMC Pneumatics, Inc. Project) Series 1985 and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 553, 1985. This is a proposal for a final bond ordinance authorizing the issuance of \$600,000 Economic Development Revenue Bonds for 247 Partners Ltd. The project is in the acquisition and restoration of a 15,000 square foot vacant building located at 247 South Meridian Street to be used as general office space. The bond financing contains the following documents: Loan Agreement, Mortgage and Security Agreement, First Mortgage Notes Series 1985 A and B, Trust Indenture and the Conditional Assignment of Leases and Rentals. The interest rate will be 75% of the prime rate of Midwest National Bank. The final maturity is October 1, 1995. The Economic Development Committee on September 4, 1985, recommended Proposal No. 553, 1985, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 553, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader,

West

NO NAYS

2 NOT VOTING: *Clark, Dowden*

Proposal No. 553, 1985, was retitled SPECIAL ORDINANCE NO. 51, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 51, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 A and B (247 Partners Ltd. Project)" in the aggregate principal amount of Six Hundred Thousand Dollars (\$600,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed permanent financing of economic development facilities for 247 Partners, Ltd., an Indiana limited partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on September 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by 247 Partners Ltd., an Indiana limited partnership (the "Company") consisting of the acquisition, renovation, installation and equipping of the existing building containing approximately 15,000 leasable square feet and the machinery and equipment to be installed therein plus certain site improvements located at 247 South Meridian Street, Indianapolis, Indiana on approximately 0.25 acres of land will be leased for use as commercial office and other commercial uses (the "Project") which will be initially owned and operated by 247 Partners, Ltd., an Indiana limited partnership complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Notes Series 1985 A and B, Trust Indenture, Conditional Assignment of Leases and Rentals and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 A and B (247 Partners Ltd. Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement, Mortgage and Security Agreement consisting of the acquisition, renovation, installation and equipping of the existing building containing approximately 15,000 leasable square feet and the machinery and equipment to be installed therein plus certain site improvements located at 247 South Meridian Street, Indianapolis, Indiana on approximately 0.25 acres of land which will be leased for use as commercial office and other commercial uses previously approved

by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of a revenue bond, the loan of the net proceeds thereof to 247 Partners Ltd., an Indiana limited partnership for the purposes of financing the economic development facilities being acquired, renovated, installed and equipped or to be acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by 247 Partners Ltd., an Indiana limited partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of IC 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Notes Series 1985 A and B, Trust Indenture, Conditional Assignment of Leases and Rentals and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 A and B (247 Partners Ltd. Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Notes Series 1985 A and B, Trust Indenture, Conditional Assignment of Leases and Rentals and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 A and B (247 Partners Ltd. Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1985 A and B (247 Partners Ltd. Project) in the aggregate principal amount of Six Hundred Thousand Dollars (\$600,000) for the purpose of procuring funds to loan to 247 Partners Ltd., an Indiana limited partnership in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by 247 Partners Ltd., an Indiana limited partnership on its First Mortgage Notes Series 1985 A and B in the aggregate principal amount of Six Hundred Thousand Dollars (\$600,000), which will be executed and delivered by 247 Partners Ltd., an Indiana limited partnership to evidence and secure said loan, and as otherwise provided in the above described Trust Indenture, Loan Agreement, Mortgage, and Security Agreement and Conditional Assignment of Leases and Rentals. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Trust Indenture and the Bonds, provided, however, that the interest rate shall in no event exceed 30% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 A and B (247 Partners Ltd. Project), and the Endorsement to the First Mortgage Notes Series 1985 A and B approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Inden-

ture. The Mayor and City Clerk may by their execution of the Trust Indenture, Loan Agreement, Mortgage and Security Agreement, the Endorsement to First Mortgage Notes Series 1985 A and B and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the First Mortgage Notes Series 1985 A and B, Conditional Assignment of Leases and Rentals without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds, Series 1985 A and B (247 Partners Ltd. Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 555, 1985. This is a proposal for an inducement resolution granting the extension of the expiration date contained in a previously adopted special resolution for The Standard Register Company. Councillor Schneider stated that Proposal No. 555, changes the expiration date of Special Resolution No. 12, 1985, from September 30, 1985, to April 30, 1986. The Economic Development Committee on September 4, 1985, recommended Proposal No. 555, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Nickell for adoption. Proposal No. 555, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Campbell, Clark, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

3 NOT VOTING: Bradley, Cottingham, Coughenour

Proposal No. 555, 1985, was retitled SPECIAL RESOLUTION NO. 127, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 127, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 12, 1985 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 12, 1985 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by The Standard Register Company (the "Company") which Special Resolution set an expiration date of September 30, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the foresaid expiration date; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 12, 1985 is hereby amended by deleting the expiration date of September 30, 1985 contained herein and replacing said date with the date of April 30, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 12, 1985 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 556, 1985. This is a proposal for an inducement resolution granting the extension of the expiration date contained in a previously adopted special resolution for CHEMCENTRAL Corporation. Proposal No. 556, 1985, changes the expiration date of September 30, 1985, in Special Resolution No. 13, 1985, until April 30, 1986. The Economic Development Committee on September 4, 1985, recommended Proposal No. 556, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 556, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, Miller,

Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West
NO NAYS

3 NOT VOTING: *Cottingham, McGrath, Strader*

Proposal No. 556, 1985, was retitled SPECIAL RESOLUTION NO. 128, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 128, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 13, 1985 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 13, 1985 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by CHEMCENTRAL Corporation (the "Company") which Special Resolution set an expiration date of September 30, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a finding of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the foresaid expiration date; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 13, 1985 is hereby amended by deleting the expiration date of September 30, 1985 contained herein and replacing said date with the date of April 30, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 13, 1985 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 557, 1985. This is a proposal for an inducement resolution

granting the extension of the expiration date contained in a previously adopted special resolution for Oakleaf/Indianapolis, Ltd. Proposal No. 557, 1985, changes the expiration date of September 30, 1985, in Special Resolution No. 16, 1985, until April 30, 1986. The Economic Development Committee on September 4, 1985, recommended Proposal No. 557, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 557, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Clark, Dowden, Howard, Schneider*

Proposal No. 557, 1985, was retitled SPECIAL RESOLUTION NO. 129, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 129, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 16, 1985 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 16, 1985 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Oakleaf/Indianapolis, Ltd. (the "Company") which Special Resolution set an expiration date of September 30, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the foresaid expiration date; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 16, 1985 is hereby amended by deleting the

expiration date of September 30, 1985 contained herein and replacing said date with the date of April 30, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 16, 1985 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 558, 1985. This is a proposal for an inducement resolution granting the extension of the expiration date contained in a previously adopted special resolution for BetaMed Pharmaceuticals, Inc. and/or an affiliate thereof. Proposal No. 558, 1985, changes the expiration date of September 30, 1985, in Special Resolution No. 17, 1985, until April 30, 1986. Dr. Beurt SerVaas who is a member of and the President of the City-County Council had submitted claim to the Bankruptcy Court concerning BetaMed Pharmaceuticals, Inc. Dr. SerVaas did not participate in any proceedings of the City-County Council concerning this proposal, and he abstained from all votes of the Council concerning this matter in compliance with I.C. 36-7-12-16. The Economic Development Committee on September 4, 1985, recommended Proposal No. 558, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 558, 1985, was adopted on the following roll call vote; viz:

26 **AYES:** Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, Shaw, Stewart, Strader, West
NO NAYS

3 **NOT VOTING:** Cottingham, Gilmer, SerVaas

Proposal No. 558, 1985, was retitled **SPECIAL RESOLUTION NO. 130, 1985**, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 130, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 17, 1985 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 17, 1985 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by BetaMed Pharmaceuticals, Inc. and/or an affiliate thereof (the "Company") which Special Resolution set an expiration date of September 30, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the foresaid expiration date; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 17, 1985 is hereby amended by deleting the expiration date of September 30, 1985 contained herein and replacing said date with the date of April 30, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 17, 1985 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 559, 1985. This is a proposal for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Rand McNally and Company and/or Rand McNally Book Manufacturing Company in an approximate amount of \$8,500,000. Councillor Schneider described the project as the acquisition and renovation of an existing facility containing approximately 373,000 square feet and located at 3131 North Franklin Road on approximately 28.62 acres of land. Bond proceeds would be used to acquire printing and binding equipment. The building and land will be acquired by the Company with other funds. The Project will be used for production of map products, publications, books printed for other publishers, tickets, timetables and related materials. Estimated costs for the \$8.5 million project are as follows: \$8,000,000 equipment and \$500,000 other. The estimated

number of additional employment positions at the end of one year total 25 with \$500,000 in additional payroll to the community. The three-year job estimate is 40 positions with \$1,050,000 in additional payroll. The Company currently has 365 employees with an approximate yearly payroll of \$7.15 million. The Economic Development Committee on September 4, 1985, recommended Proposal No. 559, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Clark for adoption. Proposal No. 559, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

2 NOT VOTING: *Hawkins, Holmes*

Proposal No. 559, 1985, was retitled SPECIAL RESOLUTION NO. 131, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 131, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Rand McNally and Company and/or Rand McNally Book Manufacturing Company (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, rehabilitate, construct, install, equip and improve certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, rehabilitation, construction, installation, equipping and improvement of an existing facility containing approximately 373,000 square feet located at 3131 North Franklin Road, Indianapolis, Indiana on approximately 28.62 acres of land which will be used by the Applicant for printing and publishing books, greeting cards and miscellaneous publishing; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry, the saving of approximately 365 existing jobs and increase in job opportunities (an additional number of jobs of approximately 25 at the end of one year and 40 at the end of three years) to be achieved by the acquisition, rehabilitation, construction, installation, equipping and improvement of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, rehabilitation, construction, installation, equipping and improvement of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$8,500,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, rehabilitation, construction, installation, equipping and improvement of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, rehabilitation, construction, installation, equipping and improvement of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has

been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires April 30, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, rehabilitation, construction, installation, equipping and improvement of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 560, 1985. This is a proposal for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Indy Walls and Ceilings, Incorporated in an approximate amount of \$400,000. Councillor Schneider stated that the project would be the construction and equipping of a 16,000 square foot building to be located at 1800 North Sherman Drive on approximately 1.2 acres of land. The project will be used in the Company's business of drywall and plastering. Estimated costs for the \$475,000 project are as follows: \$75,000 land and \$400,000 building. Construction is projected to begin November, 1985 with occupancy on March 1, 1986. The estimated number of additional employment positions at the end of one year total 4 permanent full time jobs and the three-year job estimate is 9 permanent full time positions. Moreover, additional jobs will be created on an as needed basis to meet staffing requirements on specific contracts. Estimated additional payroll from all of these new jobs is anticipated at \$350,000 at the end of one year and \$1,050,000 at the end of three years. The Company currently employs 75 persons with an annual payroll of approximately \$1,750,000. The Economic Development Committee on September 4, 1985, recommended

Proposal No. 560, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Journey for adoption. Proposal No. 560, 1985, was adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

1 NOT VOTING: *Schneider*

Proposal No. 560, 1985, was retitled SPECIAL RESOLUTION NO. 132, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 132, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Indy Walls and Ceilings, Incorporated, or William R. Pruitt and William L. McAuley, or a corporation or partnership to be formed in which William R. Pruitt or William L. McAuley or both would be a partner or stockholder (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a new building containing approximately 16,000 square feet to be located at approximately 1800 North Sherman Drive, Indianapolis, Indiana on approximately 1.2 acres of land which will be used by Indy Walls and Ceilings, Incorporated for the operation of its construction, plastering, drywall, acoustical and insulation business (and with a portion of the facility to be initially leased to others for warehouse space); the acquisition, construction, installation and equipping of various site improvements at the facility and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 4 at the end of one year and 9 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$400,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires April 30, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 561, 1985. This is a proposal for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Richard E. Robison and David L. Roll in an approximate amount of \$500,000. Councillor Schneider described the project as the construction and equipping of a 28,500 square foot facility and warehouse and office space to be located at 1900 Expo Lane on approximately 3 acres of land. The project will be used by Hoosier Trim Products, Inc. and Metro Metal Corp. for the fabrication of ferrous and nonferrous materials and warehousing and delivery of bar and sheet stock. Estimated costs for the \$500,000 project are as follows: \$42,000 land, \$350,000 building, \$65,000 equipment and \$43,000 other contingencies. Construction should begin October, 1985 with occupancy approximately the middle of December, 1985. The estimated number of additional employment positions at the end of one year total 12 jobs with \$105,000 in additional payroll to the community. The three-year job estimate is 31 jobs with \$200,000 in additional payroll. The Company currently employs 25 persons with an annual payroll of approximately \$242,000. The Economic Development Committee on September 4, 1985, recommended Proposal No. 561, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 561, 1985, was adopted on the following roll call vote; viz:

26 AYES: Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

3 NOT VOTING: *Borst, Dowden, Schneider*

Proposal No. 561, 1985, was retitled SPECIAL RESOLUTION NO. 133, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 133, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Richard E. Robison and David L. Roll, or their assigns (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, rehabilitate, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a building containing approximately 28,500 square feet which will be used as factory, warehouse and office space by Hoosier Trim Products, Inc. and Metro Metal Corp. in their business of fabrication of ferrous and nonferrous materials and warehousing and delivery of bar and sheet stock to be located at approximately 1900 Expo Lane, Indianapolis, Indiana on approximately 3 acres of land; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 12 at the end of one year and 31 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that

the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$500,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires April 30, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 562 and 563, 1985. Proposal No. 562, 1985, is for a special ordinance designating the parcel of land commonly known as 225 and 227 North New Jersey Street as an economic development target area. Proposal No. 563, 1985, is for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Webb/Henne Ventures, Indianapolis Venture One in an amount not to exceed \$8,000,000. The project is the acquisition and renovation of the vacant Printcraft Building located at 225 North New Jersey Street including construction of an additional 10,000 square feet for use as general office space, plus the demolition of the building located at 227 North New Jersey and replacing it with parking space. Estimated costs for the \$8 million project are as follows: \$1.5 million land and building and \$6.5 million renovation. Renovation is scheduled to begin the middle of September, 1985 with occupancy in June, 1986. The estimated number of additional employment positions at the end of one and three years total 32 construction and 3 permanent jobs with an additional payroll to the community of \$1 million the first year and \$55,000 the third year. The Economic Development Committee on September 4, 1985, recommended Proposal Nos. 562 and 563, 1985, Do Pass by votes of 6-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 562, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Durnil, Giffin, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

4 NOT VOTING: *Cottingham, Dowden, Gilmer, Howard*

Proposal No. 562, 1985, was retitled SPECIAL ORDINANCE NO. 52, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 52, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by

I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on September 4, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as 225 and 227 North New Jersey Street and certain real estate in the immediate vicinity thereof, Indianapolis, Indiana, as an Economic Development Target Area which parcels are more specifically described as:

1. Part of Lot No. 2, in Square 40 of the Donation Lands of the City of Indianapolis, more particularly described as follows:

Beginning at a point on the east line of said lot distant 18.17 feet south of the northeast corner thereof and running thence south along and with said east

line 49.33 feet to the southeast corner of said lot; thence west along and with the south line of Lot No. 2, 125.00 feet to a point; north, parallel with the east line of said lot, 32.00 feet to a point, thence east parallel with the south line of said lot, 26.79 feet, to a point; thence in a northeasterly direction 21.21 feet to a point distant 86.00 feet west of the east line of said lot and 18.17 feet south of the north line of said lot; thence east parallel with the north line of said lot, 86.00 feet to the place of beginning.

2. Part of Lot No. 2 in Square 40 of the Donation Lands of the City of Indianapolis, more particularly described as follows, to-wit:

Beginning at a point on the west line of Lot No. 2, 84.00 feet south of the northwest corner of Lot No. 1, in Square 40, City of Indianapolis, thence south along the west line of Lot No. 2, 51.00 feet to the southwest corner of Lot No. 2; thence east along the south line of Lot No. 2, 70.00 feet to a point; thence north and parallel to the west line of Lot No. 2, 32.00 feet to a point; thence west and parallel to the south line of Lot No. 2, 10.00 feet to a point; thence north and parallel to the west line of Lot No. 2, 19.00 feet to a point; thence west and parallel to the south line of New York Street, 60.00 feet to the place of beginning.

3. Part of Lot 2 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana, more particularly described as follows:

Commencing at a point in the South line of New York Street 135 feet West of the Northeast corner of Lot 1 of said Square 40; thence south parallel with the West line of East Street 84 feet to the Place of Beginning; thence continue South parallel with the said West line of East Street 19 feet; thence East parallel with the South line of New York Street 36 feet 9-1/2 inches to a point; thence Northeasterly 21 feet 2-1/2 inches to a point distant 86 feet West of the West line of said East Street and 85 feet 8 inches South of the South line of said New York Street; thence North parallel with the West line of said East Street 1 foot 8 inches; thence West parallel with the South line of said New York Street 49 feet to the place of beginning. (Lot 2 is located east of 227 North New Jersey).

4. Lot 12 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana (located directly north of 227 North New Jersey).
5. Lot 11 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana (located directly north of 225 North New Jersey).
6. That part of Miami Street vacated pursuant to proceedings of the Plat Committee, Marion County, under Docket Number 84-VAC-41, more specifically described as:

Beginning at the southwest corner of Lot 10 in Square 40, Donation Lands of Indianapolis, Indiana, thence east along the South line of Lot 10 to the southeast corner of Lot 10, thence south to the northeast corner of Lot 9 in Square 40, Donation Lands of Indianapolis, Indiana, thence west along the north line of Lot 9 to the northwest corner of Lot 9, thence north to the point of beginning, said description constituting all of Miami Street from the east right-of-way line of North New Jersey Street to the west right-of-way line of Cleveland Street.

7. That part of Cleveland Street vacated pursuant to proceedings of the Plat Committee, Marion County, under Docket Number 84-VAC-41, more specifically described as:

Beginning at the northeast corner of Lot 9 in Square 40, Donation Lands of Indianapolis, Indiana, thence north along the west right-of-way line of Cleveland Street a distance of 84.92 feet, thence east a distance of 2 feet perpendicular to said west right-of-way line, thence south along a line parallel to the west right-of-way of Cleveland Street a distance of 84.92 feet, thence west a distance of 2 feet to the point of beginning; and

WHEREAS, the Indianapolis Economic Development Commission has previously reviewed, considered and favorably recommended to the City-County Council designating the parcel also commonly known as 225 North New Jersey Street, Indianapolis, Indiana as an Economic Development Target Area which parcel is more specifically described as:

Lot 10 and 2 feet and 6 inches by parallel lines off of the South side of Lot 11 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana.

And, 44.5 feet taken by parallel lines off of the entire South side of Lot 3 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana.

Also, 23 feet off the entire North side of Lot 3 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana.

and the City-County Council designated such parcel as an Economic Development Target Area pursuant to I.C. 36-7-12 by the adoption of City-County Special Ordinance No. 13, 1983:

now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the parcels commonly known as 225 and 227 North New Jersey Street and certain real estate in the immediate vicinity thereof, Indianapolis, Indiana, which are more specifically described as:

1. Part of Lot No. 2, in Square 40 of the Donation Lands of the City of Indianapolis, more particularly described as follows:

Beginning at a point on the east line of said lot distant 18.17 feet south of the northeast corner thereof and running thence south along and with said east line 49.33 feet to the southeast corner of said lot; thence west along and with the south line of Lot No. 2, 125.00 feet to a point; north, parallel with the east line of said lot, 32.00 feet to a point, thence east parallel with the south line of said lot, 26.79 feet, to a point; thence in a northeasterly direction 21.21 feet to a point distant 86.00 feet west of the east line of said lot and 18.17 feet south of the north line of said lot; thence east parallel with the north line of said lot, 86.00 feet to the place of beginning.

2. Part of Lot No. 2 in Square 40 of the Donation Lands of the City of Indianapolis,

olis more particularly described as follows, to-wit:

Beginning at a point on the west line of Lot No. 2, 84.00 feet south of the northwest corner of Lot No. 1, in Square 40, City of Indianapolis, thence south along the west line of Lot No. 2, 51.00 feet to the southwest corner of Lot No. 2; thence east along the south line of Lot No. 2, 70.00 feet to a point; thence north and parallel to the west line of Lot No. 2, 32.00 feet to a point; thence west and parallel to the south line of Lot No. 2, 10.00 feet to a point; thence north and parallel to the west line of Lot No. 2, 19.00 feet to a point; thence west and parallel to the south line of New York Street, 60.00 feet to the place of beginning.

3. Part of Lot 2 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana, more particularly described as follows:

Commencing at a point in the South line of New York Street 135 feet West of the Northeast corner of Lot 1 of said Square 40; thence south parallel with the West line of East Street 84 feet to the Place of Beginning; thence continue South parallel with the said West line of East Street 19 feet; thence East parallel with the South line of New York Street 36 feet 9-1/2 inches to a point; thence Northeasterly 21 feet 2-1/2 inches to a point distant 86 feet West of the West line of said East Street and 85 feet 8 inches South of the South line of said New York Street; thence North parallel with the West line of said East Street 1 foot 8 inches; thence West parallel with the South line of said New York Street 49 feet to the place of beginning. (Lot 2 is located east of 227 North New Jersey).

4. Lot 12 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana (located directly north of 227 North New Jersey).
5. Lot 11 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana (located directly north of 225 North New Jersey).
6. That part of Miami Street vacated pursuant to proceedings of the Plat Committee, Marion County, under Docket Number 84-VAC-41, more specifically described as:

Beginning at the southwest corner of Lot 10 in Square 40, Donation Lands of Indianapolis, Indiana, thence east along the South line of Lot 10 to the southeast corner of Lot 10, thence south to the northeast corner of Lot 9 in Square 40, Donation Lands of Indianapolis, Indiana, thence west along the north line of Lot 9 to the northwest corner of Lot 9, thence north to the point of beginning, said description constituting all of Miami Street from the east right-of-way line of North New Jersey Street to the west right-of-way line of Cleveland Street.

7. That part of Cleveland Street vacated pursuant to proceedings of the Plat Committee, Marion County, under Docket Number 84-VAC-41, more specifically described as:

Beginning at the northeast corner of Lot 9 in Square 40, Donation Lands of Indianapolis, Indiana, thence north along the west right-of-way line of Cleveland Street a distance of 84.92 feet, thence east a distance of 2 feet perpendicular to said west right-of-way line, thence south along a line parallel to the west right-of-way of Cleveland Street a distance of 84.92 feet, thence west a distance of 2

feet perpendicular to said west right-of-way line, thence east a distance of 2 line parallel to the west right-of-way of Cleveland Street a distance of 84.92 feet, thence west a distance of 2 feet to the point of beginning; and

meets the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ... " and it is hereby reconfirmed that the parcel commonly known also as 225 North New Jersey Street, Indianapolis, Indiana which is more specifically described as:

Lot 10 and 2 feet and 6 inches by parallel lines off of the South side of Lot 11 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana.

And, 44.5 feet taken by parallel lines off of the entire South side of Lot 3 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana.

Also, 23 feet off the entire North side of Lot 3 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana.

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 563, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
1 NAY: Howard

Proposal No. 563, 1985, was retitled SPECIAL RESOLUTION NO. 134, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 134, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Webb/Henne Ventures, Indianapolis, Venture One (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, convert, rehabilitate, construct, install, equip and improve certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, conversion, rehabilitation, construction, expansion, installation, equipping and improvement of a facility presently containing approximately 90,000 gross square feet located on the Project Site into an office building containing approximately 100,000 gross square feet; the acquisition, construction, installation and equipping of various site improvements at the Project Site including parking areas; the acquisition and installation of machinery, equipment, fixtures and furnishings for use in connection with such facility; the demolition of a second building now located on the Project Site; and the acquisition of the Project Site. The Project Site consists of the real estate commonly known as 225 and 227 North New Jersey, Indianapolis, Indiana and the following vacant tracts of land in the vicinity of 225 and 227 North New Jersey: 1. Lot 3 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana (located east of 225 North New Jersey); 2. Part of Lot No. 2, in Square 40 of the Donation Lands of the City of Indianapolis, more particularly described as follows -- Beginning at a point on the east line of said lot distant 18.17 feet south of the northeast corner thereof and running thence south along and with said east line 49.33 feet to the southeast corner of said lot; thence west along and with the south line of Lot No. 2, 125.00 feet to a point; north parallel with the east line of said lot, 32.00 feet to a point, thence east parallel with the south line of said lot, 26.79 feet to a point; thence in a northeasterly direction 21.21 feet to a point distant 86.00 feet west of the east line of said lot and 18.17 feet south of the north line of said lot; thence east parallel with the north line of said lot, 86.00 feet to the place of beginning; 3. Part of Lot No. 2 in Square 40 of the Donation Lands of the City of Indianapolis, more particularly described as follows, to-wit -- Beginning at a point on the west line of Lot No. 2, 84.00 feet south of the northwest corner of Lot No. 1, in Square 40, City of Indianapolis, thence south along the west line of Lot No. 2, 51.00 feet to the southwest corner of Lot No. 2, thence east along the south line of Lot No. 2, 70.00 feet to a point; thence north and parallel to the west line of Lot No. 2, 32.00 feet to a point; thence west and parallel to the south line of Lot No. 2, 10.00 feet to a point; thence north and parallel to the west line of Lot No. 2, 19.00 feet to a point; thence west and parallel to the south line of New York Street, 60.00 feet to the place of beginning; 4. Part of Lot 2 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana, more particularly described as follows -- Commencing at a point in the South line of New York Street 135 feet West of the Northeast corner of Lot 1 of said Square 40; thence South parallel with the West line of East Street 84 feet to the Place of Beginning; thence continue South parallel with the said West line of East Street 19 feet; thence East parallel with the South line of New York Street 36 feet 9-1/2 inches to a point; thence Northeasterly 21 feet 2-1/2 inches to a point distant 86 feet West of the West

line of said East Street and 85 feet 8 inches South of the South line of said New York Street; thence North parallel with the West line of said East Street 1 foot 8 inches; thence West parallel with the South line of said New York Street 49 feet to the place of beginning. (Lot 2 is located East of 227 North New Jersey); 5. Lot 12 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana (located directly north of 227 North New Jersey); 6. That part of Miami Street vacated pursuant to proceedings of the Plat Committee, Marion County, under Docket Number 84-VAC-41, more specifically described as -- Beginning at the southwest corner of Lot 10 in Square 40, Donation Lands of Indianapolis, Indiana, thence east along the south line of Lot 10 to the southeast corner of Lot 10, thence south to the northeast corner of Lot 9 in Square 40, Donation Lands of Indianapolis, Indiana, thence west along the north line of Lot 9 to the northwest corner of Lot 9, thence north to the point of beginning, said description constituting all of Miami Street from the east right-of-way line of North New Jersey Street to the west right-of-way line of Cleveland Street; 7. That part of Cleveland Street vacated pursuant to proceedings of the Plat Committee, Marion County, under Docket Number 84-VAC-41, more specifically described as -- Beginning at the northeast corner of Lot 9 in Square 40, Donation Lands of Indianapolis, Indiana, thence north along the west right-of-way line of Cleveland Street a distance of 84.92 feet, thence east a distance of 2 feet perpendicular to said west right-of-way line, thence south along a line parallel to the west right-of-way of Cleveland Street a distance of 84.92 feet, thence west a distance of 2 feet to the point of beginning (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 32 new construction jobs and 3 new permanent at the end of one year and 3 new permanent jobs at the end of three years) to be achieved by the acquisition, conversion, rehabilitation, construction, installation, equipping and improvement of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, conversion, rehabilitation, construction, installation, equipping and improvement of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$8,000,000 under the Act to be privately placed or a public offering with credit

enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to I.C. 36-7-12 and I.C. 36-7-11.9 for the acquisition, conversion, rehabilitation, construction, expansion, installation, equipping and improvement of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, conversion, rehabilitation, construction, installation, expansion, equipping and improvement of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires April 30, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12 and 36-7-11.9.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, conversion, rehabilitation, construction, expansion, installation, equipping and improvement of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. City-County Special Resolution No. 65, 1983 as amended by City-County Special Resolution No. 51, 1985 is hereby repealed.

SECTION 6. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 564 and 565, 1985. Proposal No. 564, 1985, is for a special ordinance designating the parcel of land commonly known as the 706-710 Massachusetts Avenue, 709 North Park Avenue, 707-711 Massachusetts Avenue and the northwest corner of the intersection of East Street and St. Clair as an economic development target area. Councillor Schneider moved, seconded by Councillor Rader, the following motion:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 564, 1985, be deleting the legal description outlined under PARCEL 4 in the fifth "WHEREAS" clause and in SECTION 1 and inserting in lieu thereof the following:

Lot Numbered One (1) and Forty-one (41) feet and Nine (9) inches by parallel lines off the entire East side of Lot Numbered Two (2) all in Out Lot 40 of J. P. Avery's Subdivision of the City of Indianapolis, Marion County, Indiana as recorded in the Office of the Recorder of Marion County, Indiana in Plat Book 16, Page 52.

Councillor Schneider

The amendment was passed by consent. Proposal No. 565, 1985, is for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Chatham Block Center Limited Partnership an approximate amount of \$1,500,000. Councillor Schneider described the project as the acquisition and renovation of four structures in approximately the 700 block of Massachusetts Avenue (the Chatham Arch Historical District). There will be a house that will be relocated one block, but still within the Historical District. The Project will total 26,610 square feet to be used as leasable space for office, incidental retail space and residential apartments. Estimated costs for the \$1,559,100 project are as follows: \$60,000 land, \$240,000 buildings and \$1,259,100 renovation. Renovation should begin in the Fall of 1985 with occupancy in the Spring of 1986. The estimated number of additional employment positions at the end of one year total 12 jobs with \$125,000 in additional payroll to the community. The three-year job estimate is 17 positions with \$150,000 in additional payroll. The Economic Development Committee on September 4, 1985, recommended Proposal Nos. 564 and 565, 1985, Do Pass by votes of 6-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 564, 1985, as amended, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West

NO NAYS

1 NOT VOTING: Stewart

Proposal No. 564, 1985, as amended, was retitled SPECIAL ORDINANCE NO. 53, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 53, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer.”; and

WHEREAS, at its meeting on September 4, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as 706-710 Massachusetts Avenue, 709 North Park Avenue, 707-711 Massachusetts Avenue and the northwest corner of the intersection of East Street and St. Clair, Indianapolis, Indiana, as an Economic Development Target Area which parcels are more specifically described as:

PARCEL 1

Lot 6 in Out Lot 42 in J. Wood's Subdivision, recorded in Plat Book L R (G), page 563, in the office of Recorder of Marion County, Indiana;

PARCEL 2

Part of Lot 20 in Goldsberry's Subdivision of Out Lots 46 and 47 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Order Book 6, page 116, in the Common Pleas Court of Marion County, Indiana, more particularly described as follows:

Beginning at the Northeast corner of Lot 20, running thence West along the line of said Lot, 98 feet 3 inches; thence Northwesterly 40 feet to the Northwest corner of said Lot on Massachusetts Avenue, thence Southwesterly along Massachusetts Avenue 36 feet 10 inches; thence Southeasterly 40 feet; thence East Parallel with the East part of the South line of said Lot to the East line of said Lot; thence North along the East line of said Lot to the place of beginning.

PARCEL 3

Lot 7 and the South Half of Lot 8 in Out Lot 42 of John Wood's Subdivision of Out Lots 1, 41, and 42 of the Donation Lands of the City of Indianapolis as per Plat thereof recorded in Land Record "G" page 563 in the Office of the Recorder of Marion County, Indiana.

PARCEL 4

Lot Numbered One (1) and Forty-one (41) feet and Nine (9) inches by parallel lines off the entire East side of Lot Numbered Two (2) all in Out Lot 40 of J. P. Avery's Subdivision of the City of Indianapolis, Marion County, Indiana as recorded in the Office of the Recorder of Marion County, Indiana in Plat book 16, Page 52.

now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It is hereby found that the parcels commonly known as 706-710 Massachusetts Avenue, 709 North Park Avenue, 707-711 Massachusetts Avenue and the northwest corner of the intersection of East Street and St. Clair, Indianapolis, Indiana, which are more specifically described as:

PARCEL 1

Lot 6 in Out Lot 42 in J. Wood's Subdivision, recorded in Plat Book L R (G), page 563, in the office of Recorder of Marion County, Indiana;

PARCEL 2

Part of Lot 20 in Goldsberry's Subdivision of Out Lots 46 and 47 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Order Book 6, page 116, in the Common Pleas Court of Marion County, Indiana, more particularly described as follows:

Beginning at the Northeast corner of Lot 20, running thence West along the line of said Lot, 98 feet 3 inches; thence Northwesterly 40 feet to the Northwest corner of said Lot on Massachusetts Avenue, thence Southwesterly along Massachusetts Avenue 36 feet 10 inches; thence Southeasterly 40 feet; thence East Parallel with the East part of the South line of said Lot to the East line of said Lot; thence North along the East line of said Lot to the place of beginning.

PARCEL 3

Lot 7 and the South Half of Lot 8 in Out Lot 42 of John Wood's Subdivision of Out Lots 1, 41, and 42 of the Donation Lands of the City of Indianapolis as per Plat thereof recorded in Land Record "G" page 563 in the Office of the Recorder of Marion County, Indiana.

PARCEL 4

Lot Numbered One (1) and Forty-one (41) feet and Nine (9) inches by parallel lines off the entire East side of Lot Numbered Two (2) all in Out Lot 40 of J. P. Avery's Subdivision of the City of Indianapolis, Marion County, Indiana as recorded in the Office of the Recorder of Marion County, Indiana in Plat Book 16, Page 52.

meets the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal no. 565, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader,

West

NO NAYS

2 NOT VOTING: *Gilmer, Hawkins*

Proposal No. 565, 1985, was retitled SPECIAL RESOLUTION NO. 135, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 135, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Chatham Block Center Limited Partnership (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either convert, rehabilitate, construct, install, equip and improve certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the conversion, rehabilitation, construction, installation, equipping and improvement of four existing structures in the 700 block of Massachusetts Avenue (706-710 Massachusetts Avenue, 709 North Park Avenue, 707-711 Massachusetts Avenue, and moving the building currently located at 715 North Park Avenue to the northwest corner of the intersection of East Street and St. Clair), Indianapolis, Indiana on approximately 0.25 acres of land which will be used for leasable space for office and retail space and multi-family residential rental housing; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 12 at the end of one year and 17 at the end of three years) to be achieved by the conversion, rehabilitation, construction, installation, equipping and improvement of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the conversion, rehabilitation, construction, installation, equipping and improvement of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$1,500,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to I.C. 36-7-11.9-4 and I.C. 36-7-12 for the conversion, rehabilitation, construction, installation, equipping and improvement of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the conversion, rehabilitation, construction, installation, equipping and improvement of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires April 30, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, conversion, rehabilitation, construction, installation, equipping and improvement of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 482, 1985. This is a proposal for a final bond ordinance authorizing the issuance of a \$400,000 Economic Development Revenue Bond, Series A, and a \$400,000 Economic Development Revenue Bond, Series B, both for United Brake Systems, Inc. The project is the construction and equipping of a 30,000 square foot building located at the southeast corner of the intersection of Belmont and Oliver Avenues. The Project will be used by the company for manufacturing of non-asbestos brake linings. The bond financing contains the following documents: Bond Purchase and Loan Agreement, Series A Promissory Note, Series B Promissory Note, Mortgage, Security Agreement and Trust Indenture. The interest rate on the Series A bond will be 7 3/4% payable monthly and the Series B bond will be 8 3/4% also payable monthly. The Series A bond reaches maturity on September 1, 1989 and the Series B bond reaches maturity on September 1, 1993. The Economic Development Committee on September 4, 1985, recommended Proposal No. 482, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 482, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Gilmer

Proposal No. 482, 1985, was retitled SPECIAL ORDINANCE NO. 54, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 54, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series A (United Brake Systems, Inc. Project)" in the principal amount of Four Hundred Thousand Dollars (\$400,000) and its "Economic Development Revenue Bond, Series B (United Brake Systems, Inc. Project)" in the principal amount of Four Hundred Thousand Dollars (\$400,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for United Brake Systems, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on August 21, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by United Brake Systems, Inc. (the "Company") consisting of the acquisition, construction, installation and equipping of an approximately 30,000 square foot building and the machinery and equipment to be installed therein plus certain site improvements to be located at the southeast corner of the intersection of Belmont Avenue and Oliver Avenue, Indianapolis, Indiana, which will be used by United Brake Systems, Inc. for manufacturing of non-asbestos brake linings (the "Project") which will be initially owned and operated by United Brake Systems, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Bond Purchase and Loan Agreement, Series A Promissory Note, Series B Promissory Note, Mortgage, Security Agreement and Trust Indenture, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series A (United Brake Systems, Inc. Project) and City of Indianapolis, Indiana Economic Development Revenue Bond, Series B (United Brake Systems, Inc. Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Bond Purchase and Loan Agreement consisting of the acquisition, construction, installation and equipping of an approximately 30,000 square foot building and the machinery and equipment to be installed therein plus certain site improvements to be located at the southeast corner of the intersection of Belmont Avenue and Oliver Avenue, Indianapolis, Indiana, which will be used by United Brake Systems, Inc. for manufacturing of non-asbestos brake linings previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to United Brake Systems, Inc. for the purposes of financing the economic development facilities being acquired, constructed, installed and equipped or to be acquired, constructed, installed and equipped in Indianapolis, Indiana, and the

repayment of said loan by United Brake Systems, Inc. will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of IC 36-7-12.

SECTION 2. The forms of the Bond Purchase and Loan Agreement, Series A Promissory Note, Series B Promissory Note, Mortgage, Security Agreement, and Trust Indenture and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series A (United Brake Systems, Inc. Project) and City of Indianapolis, Indiana Economic Development Revenue Bond, Series B (United Brake Systems, Inc. Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Bond Purchase and Loan Agreement, Series A Promissory Note, Series B Promissory Note, Mortgage, Security Agreement and Trust Indenture and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series A (United Brake Systems, Inc. Project) and City of Indianapolis, Indiana Economic Development Revenue Bond, Series B (United Brake Systems, Inc. Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bond, Series A (United Brake Systems, Inc. Project) in the principal amount of Four Hundred Thousand Dollars (\$400,000) and its Economic Development Revenue Bond, Series B (United Brake Systems, Inc. Project) in the principal amount of Four Hundred Thousand Dollars (\$400,000) for the purpose of procuring funds to loan to United Brake Systems, Inc. in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Bond Purchase and Loan Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by United Brake Systems, Inc. on its Series A Promissory Note and Series B Promissory Note in the principal amounts of Four Hundred Thousand Dollars (\$400,000) each which will be executed and delivered by United Brake Systems, Inc. to evidence and secure said loan, and as otherwise provided in the above described Bond Purchase and Loan Agreement and Mortgage, Security Agreement and Trust Indenture. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell the City of Indianapolis, Indiana Economic Development Revenue Bond, Series A (United Brake Systems, Inc. Project) to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest equal to seven and 75/100 percent (7 3/4%) and the City of Indianapolis, Indiana Economic Development Revenue Bond, Series B (United Brake Systems, Inc. Project) to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest equal to eight and 75/100 percent (8 3/4%) or such higher rates of interest as may be provided for in the Bond Purchase and Loan Agreement, provided, however, that such rate or rates of interest shall not exceed thirty percent (30%) per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Bond Purchase and Loan Agreement, Mortgage, Security Agreement, Trust Indenture, City of Indianapolis, Indiana Economic Development Revenue Bond, Series A (United Brake Systems, Inc. Project), City of Indianapolis, Indiana Economic Development Revenue Bond, Series B (United Brake Systems, Inc. Project), the Endor-

sement to the Series A Promissory Note and the Endorsement to the Series B Promissory Note approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Bond Purchase and Loan Agreement. The Mayor and City Clerk may by their execution of the Bond Purchase and Loan Agreement, the Mortgage, Security Agreement, and Trust Indenture, the Endorsement to the Series A Promissory Note, the Endorsement to the Series B Promissory Note, and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the Series A Promissory Note and Series B Promissory Note without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Bond Purchase and Loan Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bond, Series A (United Brake Systems, Inc. Project) and City of Indianapolis and the holder of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series B (United Brake Systems, Inc. Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 589-596, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on September 5, 1985". No action was taken on Proposal Nos. 589-596, 1985 by the Council; and the proposals were deemed adopted. Proposal Nos. 589-596, 1985, were retitled REZONING ORDINANCE NOS. 142-149, 1985, and read as follows:

**REZONING ORDINANCE NO. 142, 1985 85-Z-106 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 8
4616 WEST 52ND STREET, INDIANAPOLIS**

Carl Songer, by Coventry Woods II, by James R. Nickels, requests the rezoning of approximately 18 acres, being in the D-2 district, to the D-6 II classification, to provide for single-family and two-unit attached zero lotline residences by platting.

**REZONING ORDINANCE NO. 143, 1985 85-Z-127 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 15
6635 EAST 21ST STREET, INDIANAPOLIS**

Naval Avionics Employees Credit Union, by Henry Y. Dein, requests the rezoning of 1.35 acres, being in the D-4 district, to the C-1 classification, to provide for the construction of a bank.

**REZONING ORDINANCE NO. 144, 1985 85-Z-130 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 16
609 EAST 29TH STREET, INDIANAPOLIS**

Broadway United Methodist Church requests the rezoning of 3.26 acres, being in the D-5 and D-8 districts, to the SU-1 classification, to conform zoning to its use as a church and to permit additional parking.

**REZONING ORDINANCE NO. 145, 1985 85-Z-133 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 18**

5383 WEST ROCKVILLE ROAD (REAR), INDIANAPOLIS

Clancy's, Inc., requests the rezoning of 0.31 acre, being in the D-2 district, to the C-4 classification, to provide for additional parking for Clancy's restaurant.

**REZONING ORDINANCE NO. 146, 1985 85-Z-134 AMENDED WASHINGTON
TOWNSHIP**

COUNCILMANIC DISTRICT NO. 4

8875 WESTFIELD BOULEVARD, INDIANAPOLIS

George R. Nichols and William K. Hatfield, by Charles E. Wilson, request the rezoning of 5.11 acres, being in the A-2 district, to the D-P classification, to provide for residential development.

**REZONING ORDINANCE NO. 147, 1985 85-Z-136 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 7**

6515 NORTH KEYSTONE AVENUE, INDIANAPOLIS

Leo A. Jefferson and Ryan Family Steak Houses, Inc., by Susan W. Rempert, request the rezoning of 3.4 acres, being in the C-1 district, to the D-S classification, to provide for the construction of a family restaurant and offices.

**REZONING ORDINANCE NO. 148, 1985 85-Z-137 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 24**

3150 EAST THOMPSON ROAD, INDIANAPOLIS

Steven H. and Linda J. Huth, by Joseph A. Thomas, request the rezoning of 1.77 acres, being in the D-2 district, to the C-3 classification, to provide for the construction of a flower shop and an office building.

**REZONING ORDINANCE NO. 149, 1985 85-Z-138 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5**

6845 EAST 96TH STREET (REAR), INDIANAPOLIS

John D. Murphy and Angelus Murphy request the rezoning of 1.5 acres, being in the A-2 district, to the D-6 classification, to provide for residential development.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 464, 1985. This proposal appropriates \$350,000 for the Central Equipment Management Division for mileage penalties on IPD vehicles and increased insurance and contractual repair of vehicles. Councillor Coughenour reported that the Central Equipment Management Division underbudgeted auto insurance and contractual repair of vehicles in 1984 in the amount of \$250,000

and approximately \$100,000 is being appropriated for mileage penalties on certain police cars which are on lease for 30 months. The Administration Committee on August 27, 1985, recommended Proposal No. 464, 1985, Do Pass by a vote of 5-0. The President called for public testimony at 8:15 p.m. There being no one present to testify Councillor Coughenour moved, seconded by Councillor Holmes for adoption. Proposal No. 464, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

NO NAYS

2 NOT VOTING: Durnil, Strader

Proposal No. 464, 1985, was retitled FISCAL ORDINANCE NO. 81, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 81, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Three Hundred Fifty Thousand Dollars (\$350,000) in the Consolidated County Fund for purposes of the Department of Administration, Central Equipment Management Division and reducing certain other appropriations for that division and the unappropriated and unencumbered balance in the Consolidated County Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for mileage penalties on IPD vehicles and transferring funds for increased insurance and contractual repair of vehicles.

SECTION 2. The sum of Three Hundred Fifty Thousand Dollars (\$350,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations and the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF ADMINISTRATION

CENTRAL EQUIPMENT MANAGEMENT DIV. CONSOLIDATED COUNTY FUND

3. Other Services & Charges

\$350,000

TOTAL INCREASE

\$350,000

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF ADMINISTRATION	
CENTRAL EQUIPMENT MANAGEMENT DIV. CONSOLIDATED COUNTY FUND	
2. Supplies	\$250,000
Unappropriated and Unencumbered	
Consolidated County Fund	<u>100,000</u>
TOTAL REDUCTION	<u>\$350,000</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 498, 1985. This proposal appropriates \$155,000 for the Clerk of the Circuit Court to purchase voting machines for additional precincts. Councillor Cottingham stated the Clerk of the Circuit Court estimated that fifty new precincts would be formed for the next election and these precincts would need voting machines. The County and Townships Committee on September 3, 1985, recommended Proposal No. 498, 1985, Do Pass by a vote of 6-0. The President called for public testimony at 8:16 p.m. There being no one present to testify Councillor Cottingham moved, seconded by Councillor Gilmer for adoption. Proposal No. 498, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

NO NAYS

2 NOT VOTING: *Durnil, Strader*

Proposal No. 498, 1985, was retitled FISCAL ORDINANCE NO. 82, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 82, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional One Hundred Fifty-five Thousand Dollars (\$155,000) in the County General Fund for purposes of the Clerk of the Circuit Court and reducing certain other appropriations for the County Auditor.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(2 and 3) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds to purchase voting machines for additional precincts in Marion County.

SECTION 2. The sum of One Hundred Fifty-five Thousand Dollars (\$155,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

CLERK OF THE CIRCUIT COURT	COUNTY GENERAL FUND
4. Capital Outlay	<u>\$155,000</u>
TOTAL INCREASE	<u>\$155,000</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

COUNTY AUDITOR	COUNTY GENERAL FUND
4. Capital Outlay	<u>\$155,000</u>
TOTAL REDUCTION	<u>\$155,000</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 507, 1985. This proposal appropriates \$37,744 for the Marion County Prosecuting Attorney for various grants. Councillor Dowden outlined the following amounts and grants included in Proposal No. 507: \$7,200 for the Youth Resource Center; \$15,800 for a Computerization Project with the Juvenile Court; \$8,000 for an Adult Protection Services Investigator and transferring \$6,744 within the Latchkey Services and Youth Resource Grants. Councillor Dowden stated that the amendments made in Committee were technical in nature and that the Public Safety and Criminal Justice Committee on September 4, 1985, recommended Proposal No. 507, 1985, Do Pass As Amended by a vote of 7-0. The President called for public testimony at 8:19 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Nickell for adoption. Proposal No. 507, 1985, as amended, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, West*

1 NAY: *Curry*

3 NOT VOTING: *Durnil, Schneider, Strader*

Proposal No. 507, 1985, as amended, was retitled FISCAL ORDINANCE NO. 83, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 83, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Thirty-seven Thousand Seven Hundred Forty-four Dollars (\$37,744) in the State and Federal Grant Fund for purposes of the Marion County Prosecuting Attorney and reducing certain other appropriations for that office and the Marion County Auditor and the unappropriated and unencumbered balance in the State and Federal Grant Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(2) and (b)(22) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating \$7,200 for the Youth Resource Center, \$15,800 for a Computerization Project with the Juvenile Court and \$8,000 for an Adult Protective Services Investigator and transferring \$6,744 within the Latchkey Services and Youth Resource Grants.

SECTION 2. The sum of Thirty-seven Thousand Seven Hundred Forty-four Dollars (\$37,744) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations and the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

PROSECUTING ATTORNEY	STATE AND FEDERAL GRANT FUND
31. Personal Services	\$ 8,000
32. Contractual Services	9,000
34. Equipment	18,500
35. Operating Expenses	<u>2,244</u>
TOTAL INCREASE	\$37,744

SECTION 4. The said additional appropriations are funded by the following reductions:

PROSECUTING ATTORNEY	STATE AND FEDERAL GRANT FUND
31. Personal Services	\$ 3,400
33. Travel	1,844
	\$5,244
Unappropriated and Unencumbered State and Federal Grant Fund	\$31,000
COUNTY AUDITOR	
31. Personal Services (Fringes)	\$ 1,500
TOTAL REDUCTION	<u>\$37,744</u>

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Deputy Prosecutors	5	32,000	93,094
Witness Coordinator	1	18,000	18,000
Paralegal	2	17,000	27,999
Investigator	1/ 2	21,000	37,924 35,924
Project Analyst	1	11,000	14,808
Director	4	26,000	65,088
Volunteer Coordinator	1	15,000	15,000
Project Coordinator	1	9,240	5,331
Secretary	4	14,500	34,301
Counselor	2	16,000	36,625
Screening Deputy	1	12,000	10,844
Intern	1	13,000	6,500
Data Entry Clerk	1	13,000	8,750
Vacancy Factor			(54,134) (57,715)
Temporary			1,700
TOTAL	<u>26</u>		<u>316,249</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 509 and 510, 1985. Proposal No. 509, 1985, amends the Indianapolis Cumulative Capital Development Fund to include new purposes. Proposal No. 510, 1985, amends the Marion County Cumulative Capital Development Fund to include new purposes. Councillor McGrath explained that Proposal No. 509, allows cumulative funds to be spent on the purchase or lease of equipment to be used to illuminate a public way or sidewalk. Proposal No. 510, allows cumulative funds to be spent on the juvenile detention center or the purchase or lease of vehicles for the sheriff's department. The Rules and Policy Committee on September 3, 1985, recommended Proposal Nos. 509 and 510, 1985, Do Pass by votes of 7-0. The President called for public testimony at 8:21 p.m.

Mr. Carl Moldthan, Indianapolis Taxpayers Association, pointed out to the Council that these are cumulative funds. If more and more uses are found for these funds, they will never be allowed to accumulate and be used for even large expenses incurred by local government, which bond issues are currently financing.

Councillor McGrath moved, seconded by Councillor Rhodes for the adoption of Proposal Nos. 509 and 510, 1985. Proposal No. 509, 1985, was adopted on the

following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West

NO NAYS

1 NOT VOTING: Stewart

Proposal No. 509, 1985, was retitled SPECIAL ORDINANCE NO. 55, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 55, 1985

A SPECIAL ORDINANCE amending the Indianapolis Cumulative Capital Development Fund.

WHEREAS, P.L. 44-1984 (I.C. 36-9-15.5) allows municipalities to establish a municipal cumulative capital development fund; and

WHEREAS, the City of Indianapolis has previously found and determined that the establishment of such a fund is necessary and prudent for the financial well-being of the City of Indianapolis; and

WHEREAS, the City of Indianapolis previously established a municipal cumulative capital development fund by the passage of S.O. 35, 1984; and

WHEREAS, P.L. 82-1985 established new purposes for which the Indianapolis Cumulative Capital Development Fund could be appropriated; and

WHEREAS, the City of Indianapolis now finds that it is necessary and prudent to include such additional purposes in the ordinance which established the Indianapolis Cumulative Capital Development Fund; and

WHEREAS, it is the intention of the City-County Council, by the passage of this ordinance, to amend the Indianapolis Cumulative Capital Development Fund; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. There is hereby established an Indianapolis Cumulative Capital Development Fund.

SECTION 2. An ad valorem property tax levy will be imposed, and the revenues from the levy will be retained in the Indianapolis Cumulative Capital Development Fund.

SECTION 3. The maximum rate of levy under Section 2 will not exceed the following amounts:

- a. .05 per \$100.00 Assessed Valuation for 1985.
- b. .10 per \$100.00 Assessed Valuation for 1986.
- c. .15 per \$100.00 Assessed Valuation for 1987.

SECTION 4. The funds accumulated in the Indianapolis Cumulative Capital Development Fund will be used for the following purposes:

- a. To provide for the cost of construction, maintenance, and repair of bridges, approaches and grade separations, as described in I.C. 8-16-3;
- b. To provide for the acquisition of real property and the construction, enlarging, improving, remodeling, repairing, or equipping of buildings, structures, runways, or other facilities for use in connection with an airport operated by the Indianapolis Airport Authority as described in I.C. 8-22-3-25;
- c. To provide for the adequate maintenance of channel improvements, levees, and water retarding or impoundment structures, or for the emergency or unusually expensive maintenance for such works of improvement, as described in I.C. 13-3-3-89;
- d. To provide for city hospitals, for the purchase of real estate and grounds for hospital purposes, to remodel or make major repairs on any hospital building or buildings, to erect and construct hospital buildings or additions or extensions to them, or for any other major capital improvements, as described in I.C. 16-12-2-5-32;
- e. To provide for the purchase, construction, renovation, or addition to buildings used by the fire department, for the purchase of firefighting equipment, including payments required under lease rental with option to purchase agreements, and to purchase police radio equipment, as described in I.C. 36-8-14-2;
- f. To provide for the acquisition of buses, and for the planning, establishment, and maintenance of routes and schedules to assist in the implementation of urban mass transportation systems as described in I.C. 36-9-4;
- g. To provide funds to purchase, construct, equip, and maintain buildings for municipal purposes, to acquire the land, and any improvements on it, that are necessary for the construction of municipal buildings, to demolish any improvements on land acquired by such means, and to level, grade, and prepare the land for the construction of a municipal building, to acquire land or rights-of-way to be used as a public way or other means of ingress or egress to land acquired for the construction of a municipal building, to improve or construct any public way or other means of ingress or egress to land acquired for the construction of a municipal building, as described in I.C. 36-9-16-2;
- h. To provide funds to acquire land or rights-of-way to be used for public ways or sidewalks, to construct and maintain public ways or sidewalks, to acquire land or rights-of-way for the construction of sanitary or storm sewers, or both, to construct and maintain sanitary or storm sewers, or both, to acquire, by purchase or lease, or to pay all or part of the purchase price of a utility, to purchase or lease land, buildings, or rights-of-way for the use of any utility that is acquired or operated by the municipality, to purchase or acquire land, with or without buildings, for park or recreation purposes, to purchase, lease, or pay all or part of the purchase price of motor vehicles for the use of the police and fire department, or both, including ambulances and firefighting vehicles with the necessary equipment, ladders, and hoses, to retire in whole or in part any general obligation bonds of the municipality that were issued for the purpose of acquiring or constructing improvements or properties that would qualify for the use of these funds, to purchase or lease equipment and other nonconsumable

personal property needed by the municipality for any public transportation use, or to purchase or lease equipment to be used to illuminate a public way or sidewalk, as described in I.C. 36-9-16-3;

- i. To provide for the acquisition of rights-of-way for public ways or sidewalks, or the construction or reconstruction of public ways or sidewalks, as described in I.C. 36-9-16.5-2;
- j. To provide funds to be used to construct, repair or improve streets, alleys, sidewalks, curbs, gutters, and sewers, as described in I.C. 36-9-17-3;
- k. To provide for the planning, erection, remodeling, extension, and repair of sewer disposal plants and sewers to convey sanitary sewage to those plants, for the construction, remodeling, repair and extension of storm sewers, for relief sewers and drains in aid of the sanitary system or storm sewers, for the payment of the municipality's part of the costs of any public sewer or drainage project that (a) lies wholly or partly within the municipality; and (b) aids or is connected to the sewage collection or drainage system of the municipality, and for the payment of the part of any project that is allocable to property owners by special assessment under I.C. 36-9-21, for repayment to the cumulative building and sinking fund as described in I.C. 36-9-26;
- l. To provide for the construction, reconstruction or maintenance of drains as provided for in I.C. 36-9-27;
- m. With respect to municipal parks as described in I.C. 36-10-4, to pay for the acquisition of any land to be used for those purposes, or for any improvement authorized by I.C. 36-10-4.

SECTION 5. Notwithstanding Section 4, funds accumulated in the Indianapolis Cumulative Capital Development Fund may be spent for purposes other than the purposes stated in Section 4, if the purpose is to protect the public health, welfare, or safety in an emergency situation which demand immediate action. Money may be spent under the authority of this section only after the Mayor of Indianapolis issues a declaration that the public health, welfare or safety is in immediate danger that requires the expenditure of money in the fund.

SECTION 6. This fund takes effect upon approval of the State Board of Tax Commissioners.

SECTION 7. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the counsel in adopting this ordinance. To this end, the provisions of this ordinance are severable.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL No. 510, 1985, was adopted on the following roll call vote; viz:

24 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Strader, West

NO NAYS

5 NOT VOTING: *Dowden, Howard, Page, Schneider, Stewart*

Proposal No. 510, 1985, was retitled SPECIAL ORDINANCE NO. 56, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 56, 1985

A SPECIAL ORDINANCE amending the Marion County Cumulative Capital Development Fund.

WHEREAS, P.L. 44-1984 (I.C. 36-9-14.5) allows counties to establish a County Cumulative Capital Development Fund; and

WHEREAS, Marion County has previously found and determined that the establishment of such a fund is necessary and prudent for the financial well-being of Marion County; and

WHEREAS, Marion County previously established a County Cumulative Capital Development Fund by the passage of S.O. 36, 1984; and

WHEREAS, P.L. 82-1985 established new purposes for which the Marion County Cumulative Capital Development Fund could be appropriated; and

WHEREAS, Marion County now finds that it is necessary and prudent to include such additional purposes in the ordinance which established the Marion County Cumulative Capital Development Fund; and

WHEREAS, it is the intention of the City-County Council, by the passage of this ordinance, to amend the Marion County Cumulative Capital Development Fund; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. There is hereby established a Marion County Cumulative Capital Development Fund.

SECTION 2. An ad valorem property tax levy will be imposed, and the revenues from the levy will be retained in the Marion County Cumulative Capital Development Fund.

SECTION 3. The maximum rate of levy under Section 2 will not exceed the following amounts:

- a. .05 per \$100.00 Assessed Valuation for 1985.
- b. .10 per \$100.00 Assessed Valuation for 1986.
- c. .10 per \$100.00 Assessed Valuation for 1987.

SECTION 4. The funds accumulated in the Marion County Cumulative Capital Development Fund will be used for the following purposes:

- a. To provide for the purchase of voting machines or devices, as described in I.C. 3-2-6-1;
- b. To provide for the cost of construction, maintenance, and repair of bridges, approaches and grade separations, as described in I.C. 8-16-3;
- c. To provide for the acquisition of real property and the construction, enlarging, improving, remodeling, repairing, or equipping of buildings, structures, runways, or other facilities for use in connection with an airport operated by the Indianapolis Airport Authority as described in I.C. 8-22-3-25;
- d. To provide for the adequate maintenance of channel improvements, levees, and water retarding or impoundment structures, or for the emergency or unusually expensive maintenance for such works of improvement, as described in I.C. 13-3-3-89;
- e. To provide for the erection of county hospital buildings or other buildings or for the erection of additions to or remodeling of present buildings used for hospitals purposes or for equipping them as needed to carry out the provisions of I.C. 16-12-21, and to provide for the establishment, enlargement, construction, acquisition, or remodeling of a county hospital building or buildings or the equipping of existing buildings as provided for in I.C. 36-12.1-4;
- f. To provide for the construction, remodeling, and repair of county courthouses as described in I.C. 36-9-14-2;
- g. To provide for the construction, repair, remodeling, enlarging, and equipping of a county jail, a juvenile detention center to be operated under I.C. 31-6-9.5, or for the purchase, lease or payment of all or part of the purchase, price of motor vehicles for use of the sheriff's department, as described for in I.C. 36-9-15-2;
- h. To provide for the construction, reconstruction, or maintenance of drains as described in I.C. 36-9-27-99;
- i. With respect to parks as described in I.C. 36-10-4, to pay for the acquisition of any land to be used for those purposes, or for any improvement authorized by I.C. 36-10-4.

SECTION 5. Notwithstanding Section 4, funds accumulated in the Marion County Cumulative Capital Development Fund may be spent for purposes other than the purposes stated in Section 4, if the purpose is to protect the public health, welfare, or safety in an emergency situation which demand immediate action. Money may be spent under the authority of this section only after the Mayor of Indianapolis, as chief executive of Marion County, issues a declaration that the public health, welfare or safety is in immediate danger that requires the expenditure of money in the fund.

SECTION 6. This fund takes effect upon approval of the State Board of Tax Commissioners.

SECTION 7. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the counsel in adopting this ordinance. To this end, the provisions of this ordinance are severable.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 376, 1985. This proposal assigns the responsibility for public housing to the Division of Housing, Department of Metropolitan Development. Councillor Borst requested that Proposal No. 376, 1985, be postponed until the next meeting of the Council on September 30, 1985. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 465, 1985. This proposal authorizes the Clerk of the Circuit Court to utilize electronic funds transfers for the collection and disbursement of child support payments. Councillor Cottingham stated that improvements will be made on efficiency and accessibility of the current system. Indiana National Bank will enable the officials to utilize such methods as automatic credits and debits, automatic wage withholding and a retail lockbox. The Circuit Court will maintain adequate documentation of these transactions so that they may be audited as provided by law. The County and Townships Committee on September 3, 1985, recommended Proposal No. 465, 1985, Do Pass by a vote of 6-0. Councillor Cottingham moved, seconded by Councillor Durnil for adoption. Proposal No. 465, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West

NO NAYS

1 NOT VOTING: Stewart

Proposal No. 465, 1985, was retitled GENERAL RESOLUTION NO. 9, 1985, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 9, 1985

A GENERAL RESOLUTION concerning the use of electronic funds transfers for the collection and disbursement of child support payments.

WHEREAS, the Clerk of the Marion Circuit Court and the Marion County Prosecutor wish to improve the efficiency, accessibility and success of the current system for the collection of child support payments; and

WHEREAS, I.C. 5-13-1-10 establishes a procedure whereby local officials may utilize electronic funds transfers for the transaction of business; and

WHEREAS, the Clerk of the Marion Circuit Court desires to utilize electronic funds transfers for the collection of child support payments; and

WHEREAS, The Indiana National Bank has proposed a system for the collection of child support payments through an electronic funds transfer project utilizing such methods as automatic credits and debits, including automatic wage withholding, and a retail lockbox; and

WHEREAS, the Clerk of the Marion Circuit Court and the Marion County Prosecutor believe that the current system for the collection of child support payments could be greatly enhanced through such a project; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council authorizes the Clerk of the Marion Circuit Court, pursuant to I.C. 5-13-1-10, to utilize electronic funds transfers for the collection and disbursement of child support payments.

SECTION 2. The Clerk of the Marion Circuit Court shall maintain adequate documentation of these transactions so that they may be audited as provided by law.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 499, 1985. This proposal authorizes changes in the personnel schedule of the Marion County Coroner. Councillor Cottingham reported that in 1985 the Coroner's Office budgeted \$7,500 for the salaries of the Special Deputies. Special Deputies stand in for the department's regular deputies. In March there were two full-time deputies that were unable to work. Therefore, funds were spent out of the special deputies category that were not previously anticipated. The County and Townships Committee on September 3, 1985, recommended Proposal No. 499, 1985, Do Pass by a vote of 6-0. Councillor Cottingham moved, seconded by Councillor Journey for adoption. Proposal No. 499, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader*
NO NAYS

4 NOT VOTING: *Borst, Dowden, Holmes, West*

Proposal No. 499, 1985, was retitled FISCAL ORDINANCE NO. 84, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 84, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the Marion County Coroner.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Section 2.02 (a)(5) of City-County Fiscal Ordinance No. 65, 1984, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(5) COUNTY CORONER - Dept. 09

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	16,201	16,201
Chief Investigator	1	16,944	16,944
Secretary/Chief Administ.	1	13,214	13,214
Deputies	4	12,401	49,642
Medical Stenographer	1	11,371	11,371
Special Deputies			7,599 <u>12,712</u>
<u>Dental Professional</u>			<u>0</u> <u>600</u>
Temporary Salaries			16,099 <u>188</u>
TOTAL	8		120,872

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 508, 1985. This proposal transfers \$2,000 for Superior Court, Criminal Division, Room 1 to fund a two week seminar. Councillor Dowden stated that Judge Tranberg was transferring \$2,000 from Personal Services to Other Services and Charges to fund a person who attended a two week seminar. The available funds are being transferred from the Bailiffs salary. The Public Safety and Criminal Justice Committee on September 4, 1985, recommended Proposal No. 508, 1985, Do Pass by a vote of 7-0. Councillor Dowden moved, seconded by Councillor Rhodes for adoption. Proposal No. 508, 1985, was adopted on the following roll call vote; viz:

23 AYES: Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader

4 NAYS: Clark, Curry, Durnil, McGrath

2 NOT VOTING: Borst, West

Proposal No. 508, 1985, was retitled FISCAL ORDINANCE NO. 85, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 85, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Two Thousand Dollars (\$2,000) in the County General Fund for purposes of the Marion County Superior Court, Criminal Division, Room 1 and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(7) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds for a two week seminar.

SECTION 2. The sum of Two Thousand Dollars (\$2,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

SUPERIOR COURT,	
CRIMINAL DIV., ROOM 1	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$2,000</u>
TOTAL INCREASE	<u>\$2,000</u>

SECTION 4. The said increased appropriation is funded by the following reductions:

SUPERIOR COURT,	
CRIMINAL DIV., ROOM 1	COUNTY GENERAL FUND
1. Personal Services	<u>\$2,000</u>
TOTAL REDUCTION	<u>\$2,000</u>

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(7) SUPERIOR COURT - CRIMINAL DIVISION - ROOM ONE - Dept. 51

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,111	17,111
Court Reporters	2	17,804	35,608
Bailiffs	2	14,543	29,086 <u>27,086</u>
Chief Clerk	1	16,406	16,406
Record Clerk	1	13,835	13,835
Master Commissioner	1	19,185	19,185
Secretary	1	14,539	14,539
Public Defenders	1	13,082	13,113
Clerk	<u>1</u>	12,824	<u>12,824</u>
TOTAL	11		171,797 <u>169,707</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 500, 1985. This proposal transfers \$1,294 for the Decatur Township Assessor to purchase equipment. Councillor Cottingham stated that these funds are for additional equipment and the funds are available in Character 1, Personal Services, Temporary. The County and Townships Committee on September 3, 1985, recommended Proposal No. 500, 1985, Do Pass by a vote of 6-0. Councillor Cottingham moved, seconded by Councillor Hawkins for adoption. Proposal No. 500, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Rader

Proposal No. 500, 1985, was retitled FISCAL ORDINANCE NO. 86, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 86, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating One Thousand Two Hundred Ninety-four Dollars (\$1,294) in the County General Fund for purposes of the Decatur Township Assessor and reducing certain other appropriations for that division.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (d)(2) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds to purchase equipment.

SECTION 2. The sum of One Thousand Two Hundred Ninety-four Dollars (\$1,294) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DECATUR TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
4. Capital Outlay	<u>\$1,294</u>
TOTAL INCREASE	\$1,294

SECTION 4. The said increased appropriation is funded by the following reductions:
 DECATUR TOWNSHIP ASSESSOR COUNTY GENERAL FUND

1. Personal Services	<u>\$1,294</u>
TOTAL REDUCTION	<u>\$1,294</u>

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(2) DECATUR TOWNSHIP ASSESSOR - Dept. 13

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	26,003	26,003
Chief Deputy	1	19,502	19,502
Clerks	3	16,293	45,940
Temporary	<u> </u>		<u>1,294 0</u>
TOTAL	5		<u>92,739 91,445</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL SERVICE DISTRICT COUNCILS

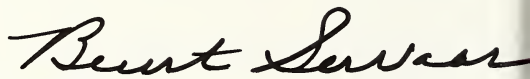
There being no business before any of the Special Service District Councils, none of the Special Service District Councils convened.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business and upon motion duly made and seconded, the meeting adjourned at 8:37 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 9th day of September, 1985.

24
In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

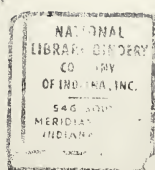

President

ATTEST:


Clerk of the City-County Council

(SEAL)





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